Petrus originale non generat ... carnale ... infirmitas ... utz folio 10 a

... non dat ... impuritate

Vtrum ... habeat ... placeri ... quia ... non licz ... theo... deo conveniat utz folio libri huius 148 ... 21 ... conclusione

... sacerdotis ... bona ... conveniat folio 131 ... holgot

N. Inv 1418

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Dni Georgij povero

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I

7

Circa distinctionem primam quarti
queritur utrum sacramenta nove
illa que sacramenta nove
legis sunt causativa
gratie habent aliquam spiritualem vir-
tutem ipsis sacramentis inherentem qua [illegible]
possint agere. Arguitur primo quod
non. Nulla sunt sacramenta nove legis
[illegible] gratia et omnis [illegible]
[illegible] sit [illegible] per sacramentum
[illegible] sed per solam fidem et observa-
tiam mandatorum sunt propterea
hoc sunt salvandi. Item sit pote-
rat qui in lege scripta igitur tot
sacramentorum institutio [illegible]
[illegible] igitur non videtur quod deus in-
stituerit aliquot sacramenta. Secundo
sacramenta non sunt causativa gratie. [illegible]
[illegible] quia omnis [illegible]
non recipit [illegible] peccatorum sed [illegible]
[illegible] recipit sacramentum [illegible]
sunt [illegible] patet
[illegible] Tertio Nulla virtus
spiritualis potest inherere sacramentis
[illegible] et gratia et
[illegible] ut [illegible] virtus creata
[illegible] sacramento sit in alio
ut non. Sed primum [illegible] quod est
superfluum ponere tot sacramenta
[illegible] unum sufficit. Consequentia [illegible]
[illegible] virtus creata [illegible] deus potest
[illegible] ut creature a deo [illegible]
Sed primum [illegible] subiectum sunt importa-
[illegible] virtutem et non est
[illegible] Sed [illegible] non [illegible]
nabile [illegible] sit subito
[illegible] sed [illegible] ratione
[illegible] patet [illegible] directe
Sacramenta nove legis et veteris [illegible]
[illegible] permittebant
[illegible] et [illegible] sa-
lutem. Sed non apparet quomodo de-
rent salutem nisi essent causativa
gratie, quia sunt spirituali virtute carere
non possunt. In ista questione videndum
est de tribus. Primo de diffinitione sacramenti
et sacramentorum institutione. Secundo de [illegible]
[illegible]. Et tertio de efficacia sacramentorum
[illegible] et ad hoc mo-
vebuntur aliqua dubia. Quantum
ad primum sciendum quod sacramentum [illegible]
[illegible] quod sit sanctio et
dicitur [illegible] sacrum secretum et [illegible]
sacramentum [illegible]
et primo non [illegible] sed sit
[illegible]
libris [illegible] adhuc [illegible]
ut [illegible] signum [illegible]
illud quod sacramentum [illegible] sensibile
[illegible] speciali institutione significa-
tivum [illegible] hominis. Et hec
diffinitio [illegible] tam sacramento nove quam veteris
legis [illegible] legis nature quod habebat
[illegible] ut est sacramentum [illegible]
illo [illegible] sacramentum [illegible]
[illegible] Secundo accipitur sacramentum [illegible]
[illegible] sacramentum nove legis et forte
[illegible] videbit [illegible]
[illegible] Prima est Gre-
gorii in registro. Sacramentum est quo
sub tegumento rerum sensibilium
virtus divina operatur secretius salu-
tem aliorum. Secunda est Hugonis
de sacramentis. Sacramentum est elementum
[illegible] suppositum et [illegible]
institutione significans [illegible]
conferens. Tertia est magistri in littera.
Sacramentum est invisibilis gratie visibilis
forma, ut eius similitudinem gerat
et causa existat. Quarta est
doctoris subtilis. Sacramentum est signum

(Marginalia: 2o; 3o; diffinitio sacramenti; primo; 2o sacramentum; 3o; Gregorii; Hugonis; magistri in littera; doctoris subtilis)

sensibile effectu gratuitu com//
stitutoe diuina fuit efficacit
ordinatu ad salute hois viator
Et iste dicet no videntur i simia
differre quod volo plenius declarare
magri exponend eo q̄ ignor est
q̄ exposita in istud alie eodo
Est ergo 2o notand q̄ in hoc
magri l̄s scz qd hic tn req
sit signu poni pp̄ de cum
sacramentu signu inuisibilis po
presensibilis ut sz sacramentu sit sig//
nu subiectu actu sensu ut
pluribus ut plus patebit in p̄ i
agendo desset Et principalis
gratia omnis gr̄a subsistens
ut ipsa sacramento alia sub illis eo
oie ut in alijs sacramentis cap sa//
cra sit ex diuina institutione
liberi instituentis sacra
sacr dare effectum insensibile princi
tem p̄ ad salute viatoris sic pl
imponend aliqd signum ad sensum illud
et fert insacrat q̄ sunt inuisibilis
gratia eius gratificante significa
cion q° ideo h quo ad sic et q̄
ferri pp̄ dent omnibus signis
no sacramentalibus et ideo addit in hoc
ut eius similitudines gerat qd sacramentum
sensibile gerat aliquam similitudinem cu
interiori affectu ut eius sacrat
ex diuina institutoe spe tn
pq le e se dm detiae ad hoc
q̄ oportet infallibiliter ad signum
ase insitu ad causand effectum
signatum in rpediat indisposito
illius cui cu adhibetur sic n̄ p̄ sa//
re homo vt declarat scotus i xxo
de illo q̄ institutum p signo pacis
tactus oculus ut eleuatoz digi//
ti ut hic̄ defecit se q̄ semp
reoperatur ad effectum signatum
cu indisposito eius cui adhibetur

rpediat et ble signu quod dm
efficax eo q̄ ipso adhibito sequitur
signatum or ne sic aut deus
disposuit de sacramentis noue legis q̄
eis semper assistit lex q̄ conungeri
atori zite applica no ponenti ob
icem tuc deus interius causa effectum
inuisibilis que sacramentum significat Et
ad hoc innuend dicitur in hoc magri
et eius sz esse inuisibilis causa existat
vbo eius causa effectiue producti sz
sacramenta tn ministerialia ut dicetur
in sequenti ar° ita sz q̄ ex di
ordinatoe et pactu sp deus
confert gratiam ad sacramenta ritu appli
tenti viatori no ponenti obice
Scdo e notand q̄ quodam est sa
tm aliud e res sacramenti tm et
3m e sacramentum et res sacramenti ut
inferius patebit hic g° diffinitur
sacramentum tm et 2oo sz sacramentum ac//
ceptum et p̄ d° sacramenti expedit/
sic ponit Est signum sensibile
inuisibilis gratia exdi specialis institutoe
signis rez spiritualis i°
qd signat Tercio no q̄ sacra
sunt signa 3m modum doctoris
impetu una sz rememoratiua
demonstrativa prenostica et q̄ sz
illorum tamen modorum sacramenta no//
ue legis sunt signa significat
eum rem factam praeteritam ut bap
tismus morte xpi et quantu ad hoc
sunt rememoratiua Item sunt re
presentem sz effectum sanctificationis
quam causant et hec sic e eis
tamen p̄ int et sunt sic demonstratiua
sz quatum ipse e tunc sic gratia
confert per Item sunt et rem
futuram sz fine sanctificatio q̄
est eterna gloria et quantum ad hoc
sunt signa prenostica Sz sacramenta
veteris testamenti fuerunt sicut pnostica

prima

2

significabant enim rem futuram
factam ut xpi incarnatoez passionem
uram redemptoez ut est ma ta si
cut sunt gnalibus premissis de//
scendo ad respondendum ad artum
primum et tandem sacramentum 2oo sit p//
responsioe gratia prima Dicunt
no p statu pncie ut in nocentie fuit
nimm dm institue aliq reme
dia pot tn statu nre pq lap//
sum tonganū fuit institui ad ho
sacramentum prima ps pbat q̄ vbi
nulla fuit infirmitas ibi n a
fuit medicine nec q̄ sz in statu
innocentie nulla fuit infirmitas
Et gratia sacramentum est one medicina
aor pz ex i° lit q̄ Nec opus
valentibus medico h male ha//
bentibus et hor pa pte pz q̄ i//
firmitas e experto h in statu
innocentie nullum erat peccatum
in statu pncie erat pctm vo
ut pq infirmitas peccatum cu
ibi sit p̄sta et confirmata sa
nitas i p 3a pte hor pz
p venerabile hugone q̄ dt q̄
sacramenta sunt medicinalia vasa
qd dt sit gratiam q̄ cu sacramentis
confert primo medicine et quibus
ho in statu innocentie indiguisset
gratia no tn indiguisset ea pp
peccatorum vulnera et no indigui//
sset ea ut e satisfactas ac com//
dumat Scda ps pz q̄ enim
status habens morbum requirit
medicinas h ois status viatoris
pq lapsum habuit morbum saltem
originalis peccati i requirebat sa//
cramentum et medicamen q̄ post
statum nre pq lapsum vere fuit
deum pvidere de aliquo remedio
ad humani generis salute et

diuina prudentia no fuit i mi
defuit i mi i q̄ Ter° primo
qd sequit̄ ex prima pte conclois
quamuis in statu innocentie fuerit
intrium ipm tn no fuit sacramentum
prima ps pz q̄ matrimoniale gimatz
adam et eue alligantur mero
d· quos deus gunxerat ho no
separet Scda ps plane patet
ex prima pte conclois Dn notand
q̄ matrimonium quamuis fuit in
statu innocentie no tn fuit in//
stitutum in officium et in//
signum et no in remedium
q̄ tunc patet lodo no fuit sa//
cramentum q̄ ut e sacramentum no solum
e institutum in officium sum
est remedium Scdo infero
q̄ ante lapsum angelorum non
fuit nimm sacra gerund isti
tm a re adhuc sacramentum pz
plane ex prima pte conclois et
eius pbatoe Tercio pz rtiug
pbabile esse opinione magri
nicol barbe quam est sequitur
dns gotschalcus q̄ dt q̄ gerunt
fuit visibile angelorum sancti//
ficatoez ordinatam aliquo facto
primo modo saluatoris insti//
tuto Scda conclo palio et ad°
tpe et statu nre pq lapsum ad
et alia fuerat sacramenta ipmd pz
defecto q̄ tpe legis ne non
fuit circumcisio usq3 ad abraham
deinde circumciso venit ad xpm
et pq a xpo instituta fuit no
le sacramenta predentibus perfectiora
3m perfectate n° ad tpo rce
gerund fuit adhibere perfectiora
remedia plenitudo n° tpis
no recipit in 3m reparatoez

nature quanto igitur natura perfectior erat tanto perfectiora remedia adhiberi debuit. Conueniens fuit in tempore legis nature quod tempus illud multum distabat a tempore gratie fuerunt aliqua sacramenta minus efficacia. Sed tempore abrahe et omni legis scripture successerunt perfectiora sacramenta legalia et potissime circumcisio et tempore perfectissime fuit data sacramenta legis noue. Circa primum non primo abrahe fuit datum remedium sed etiam in principio temporis institutum fuit aliquod sacramentum contra originale peccatum patet quia secundum magistrum extra propter generationis predicte et eius expeditum unde Richardus dicit in quarto distinctione prima questione quarta libro primo de sacramentis parte xi ca. 10 3o in lege nature fuerunt sacramenta quedam scilicet decimationes oblationes et sacrificia que fuerunt adeo instituta tempore legis nature et non tam ad significandum rem sacram propheticam futuram et tunc sacramenta uoluntaria quod hominibus fuerunt. Quia in tempore illo erat fides nostra et illis in fide saluati sunt et extra fidem et credere non ipsi quod deus erat creator remunerator et redemptor peccati quibus reuelatum erat reddidit in explicite. Alii uero implicite in fide perfectorum ut in quarto dictum fuit. Unde ergo hominibus reddidit ista credere debebant ut id signis corporalibus manifestarent scilicet istis sacrificiis sacramentorum corporibus quibus sensibiliter protestabantur. Tria scilicet redemptorem et quod peccatis homo indiget significatur per decimationes redimendi. Significabatur per oblationes primum uero per sacrificium in quo erat sanguinis effusio. Et dicit Richardus demum dicta omnia quod per oblationem significabatur

deus omnium creator per sacrificia redemptor per decimas remunerator. Secundo modo oportet ut esset aliquid contra peccatum originale. Peccatum in tempore legis nature non sufficit fides habitualis sed fides actualis cum professione. Sicut qua parentes protestabantur per illud uitium ea que exteriora expetebant et hanc professionem dicunt esse fieri non tamen exterius signo corporali uel applicare non obligatione determinate ut aqua hoc dicunt. Unde ipsi et quod non fuit aliquod sacramentum institutum ad hoc sed fides cum quo ab illo sufficiebat et in sacrificiis non fuit aliquod speciale institutum sed suffecerit cuique determinatum et sic per illud uti ex sacrificiis et oblationibus abel et chaim Gen. 4o qui obtulerunt fruges et animalia. Ex oblatione noe Gen. 8 quod obtulit eadem animalia. Ex oblatione melchisedech qui obtulit panem et uinum Gen. 14. Ex oblatione abrahe quod obtulit arietem [illegible] et isti sanctificat se in talibus. Gregorius quarto moralium dicit quod a aceribus uitia fuit uirtus sacrificii. Et quod dicit Gregorius quod proficiunt sufficit fides sola intelligitur quod fides parentum ita quod non requirebat fides propria paruulorum sic in adultis sed requirebat ut professio fidei signum aliquod. Ad dicendum quod non requirebatur in uno aliquo illorum ad delendam originalem sicut in adultis sed in paruulis sed tantum paruulis sufficiebat professio fidei etiam informis sed in quarto fiet signo exteriori sed non ut tamen interiori actu cordis dum tamen

b et non requireret professiones

fieret exemplo pro paruulis uel alibi quod gereret uicem paruuli et haberet respectum ad paruulum. Ad paruulum quod in adultis sufficiebat propria professio fidei interne et externa mentis et oris quod fuit uitia ad illos [illegible] actuale et ita dicunt circumcisio sacrificio non sufficit quod sequebatur sufficit uolle si aliquid offerebat et aliis cum dicit Hugo quod quotiens sacrificium curabat ad corpus sicut ergo uita exteriori sacramentalia non fuerunt uitia ad delendam culpam sed gratia et hec unde uolle. Hugo uero dicit quod sola fides sufficit primum. Et Hugo dicit quod sacramenta primi temporis magis ad deuotionem fuerunt proposita quod ad obtinendum salutem indicata tamen in quarto ad sacrificium sacramenta ut dictum fuit. Ubi et hec opinio fuit bone re. Circa secundum sacramenta non fuerunt perfectiora sacramenta legis nature uel aliis legis scripte patet ex probatione quarto quia tamen a tempore perfectiori perfectiora remedia adhibere conueniens fuit sed tempus gratie hoc. Tertium sacramenta noue legis tamen fuerunt perfectiora quia statim corpus deuotionis custodes post mortem templi ad celum euolauit quod non poterant facere sacramenta prioris temporis quia ianua regni per clausa fuit donec ista sacramenta uirtutem acceperunt a christi passione non solum prius facta sed exhibita. Tamen sacramenta predicta conferebant gratiam ratione operis operati propter hoc quod ipsa excepta circumcisione fuerunt instituta solum ad figurandum christi passionem et passa tamen circa et sic ad efficiendum aliquod non tamen corporis exterioris uel

soluendo a debito reatus culpabili uel pena temporali ut baptisma et contra etiam ipsa non iustificabant conferendo gratiam de per se. Sed sacramenta non legis conferunt gratiam ex ratione operis operati uel quoniam primo fuit instituta a deo et non solum ad significandum uel sicut priora aliqua sacramenta conferebant gratiam ut dicit [illegible] denominationem tamen ista habere conferebant quia sacramenta non legis et non operis operantis sed operatum dicitur nisi sicut in ponimus sacramenta debite applicatum cum debita intentione et forma uerborum. Sed opus operantis dicitur ipse minister ut medium inter ministrum uel suscipientem sacramentum. Circa tertium quod sunt sacramenta tempore legis gratie completa quam tempore legis nature hoc tamen multa pluraque salubria multa fuerunt hominibus et tunc. Prima probatur patet quod non sunt sacramenta aliqua ad salutem omnia quibus tempore legis nature homines non astringebantur et non sunt completa quam tempore legis nature ut creditur patet prima. Secunda probatur patet quod per hoc non sunt sacramenta multiplicia uel nec et defectus omnes multum salubria et completa remedia per ut habebat contra demum secundo perfectorum. Contra quinta partem questionis propter uariis quoniam statu homo indiget contra peccatum indiget sacramentum in statu innocentie homo indiguit gratia primo et quarto patet quod contra conferret homo corpora sacramenta habere patet quod non obstante homines innocentia numquam potuisset homo consequi beatitudinem sine gratia. Contra ratione partem articulum [illegible] in morte et post dignitas dicit et quod potuit nobis non aqua baptismi homo exigit

cepit vetere ut pro primitiis
sola fides ut premissum est aliquibus
sacrificiis in statu nature non
fuit aliquod sacramentum. Secundo sacramentum
non potest institui nisi a deo sed
non legimus de aliquo sacramento
tempore legis nature instituto. Tercio tempore
gracie non fuit racionabile deum sacramenta
instituere [illegible] tempus liber-
tatis et vite spiritualis non debuit
homo subici servituti et rebus
corporalibus [illegible]
non est servum [illegible] sed liberum
subiectum vel obligari ad
suscipienda sacramenta que sunt signa
corporalia et sensibilia et subiectio
rerum sensibilium [illegible]
to sacramenta sunt ydolatrandi oc-
casio in nulla lege debuerant
institui contra quod talis occasio
semper fugienda est et tollenda
omnibus ex hoc quod gracia spiritualis gracia
dicitur contineri sub corporalibus sacramentis
posset aliquis credere quod in rebus
corporalibus sit aliquid numinis aut
divinitatis et hoc fuit principalis
occasio ydolatrandi. [illegible]
dicitur contra quod quamvis homo si man-
sisset in statu innocencie indigu-
isset habitu gracie prout gracia dicitur
utique non tamen indiguisset prout dicitur
sacramentum gracia quia ut dicitur medi-
cina [illegible]
[illegible] non [illegible]
homo in statu innocencie indiguit
gracia [illegible]
[illegible] quia deus [illegible]
[illegible] gratiam dedit [illegible] et homo
si in statu innocencie permansisset
dedisset. Ad [illegible]

[illegible] satis ex-
dictis circa primum [illegible]
[illegible] potest
quod potuit deus [illegible]
revelasse patribus [illegible] frequen-
tius legebatur [illegible] et tamen sacra-
mentum dicitur quod ab Adam usque ad
Abraham transit [illegible]
te et idem videtur velle Hugo
[illegible]
[illegible] item [illegible]
[illegible]
[illegible]
experiencia quod tempore legis nature aliquod
sacramentum a deo fuit institutum quia
pro tempore illo placuerunt sacrificia deo
quod non esset nisi a deo fuissent in-
stituta [illegible]
et presumptuosi si aliqua sua devocione pro-
pria vel inspiracione fecissent.
[illegible] placuerunt sacrificia patet
de oblacione Abel [illegible] et de
oblacione Noe post exitum eius
de archa et de oblacione eius
Melchisedech qui erat sacerdos dei
excelsi et de oblacione Abraham.
[illegible] ut dicitur [illegible] sta-
tus gracie seu legis christiane est
medius inter statum veteris legis
[illegible] qui fuit status perfecte [illegible]
[illegible] et corporalitatis et inter
statum glorie qui est status perfecte liber-
talitatis et spiritualitatis [illegible]
[illegible]
homo in statu culpe [illegible]
et [illegible] offendebat
[illegible]
[illegible] deum
si placeret [illegible] homo
[illegible] ut discat [illegible] et
referre in deum [illegible] debite
[illegible] et non servi [illegible]

prima
[illegible]

constitue sed [illegible]
[illegible] et ordinat [illegible]
[illegible] non est [illegible] libertatis [illegible]
dei [illegible]
[illegible] obligari ad sacramenta su-
scipienda [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]
non dicitur [illegible] aliquid numinis
divinitatis [illegible]
gracia [illegible] excellen-
tissima [illegible] sacramenta non
dat unde ydolatrandi occasio
[illegible] adorandi quod dat [illegible]
quod deus sit adorandus quod [illegible]
sua mediantibus sacramentis dat graciam
[illegible] Constituit [illegible]
signa [illegible]
directo et regimine viatoris
possit [illegible] adquirendi salutem et
hoc de primo. Circa [illegible] Quantum
[illegible] intendendum
est [illegible] Et dicit et
sui sequaces quod [illegible]
[illegible] in anima [illegible]
[illegible] in anima
[illegible] non [illegible]
[illegible] aliud est [illegible]
[illegible] effectus [illegible]
[illegible] disponentes [illegible]
[illegible] est [illegible]
[illegible] recipientis
[illegible] agentium
[illegible] est [illegible] aliud [illegible]
[illegible] ut [illegible] dixit [illegible]
[illegible] quod [illegible]
[illegible] dissolvit et
[illegible] equalitatem [illegible]
[illegible] potencie [illegible]

[illegible] ab
agente principali et [illegible]
agente instrumentali [illegible]
[illegible] agens
principale inducit [illegible]
instrumentale [illegible] ad formas
de materia [illegible]
[illegible]
[illegible] forma [illegible]
[illegible]
[illegible] ad [illegible] aliud quod [illegible]
[illegible] ad aliquam for-
mam [illegible] dispositionem [illegible]
attingit [illegible] sicut instru-
[illegible] Ergo quod principale agens
[illegible] est deus et [illegible] sa-
cramenta [illegible]
[illegible] ab [illegible]
Inequale [illegible] instrumentale [illegible]
[illegible] pertingit instrumentum
ad aliquem effectum [illegible]
[illegible] sicut [illegible]
ut [illegible] ad effectum [illegible]
[illegible] gracia in dispositione
[illegible] instrumentum efficiunt dispo-
sicionem [illegible]
et ut [illegible] dicit [illegible] Augustinus
[illegible] dicit quod [illegible]
et [illegible] et hoc [illegible] dicit
quod [illegible] aliquam [illegible]
spiritualem [illegible] non est [illegible]
[illegible] principalibus [illegible]
[illegible]
[illegible] sit [illegible]
[illegible] instrumentum
[illegible] et [illegible] dicit quod [illegible]
[illegible] dat sacramentis [illegible]
[illegible]
[illegible]
[illegible] dicit [illegible]

pt ee vtg spual pmo intentois
s no zm ee cpleta ffat qr ia
vtg e pflis rebg et in vit rebg
et exquibg cstat pcrtu dem
erf dt qr gra e inscr no st
fama cpleta in effectu ul pbito
s pr inistento no tn direte et
inmgete ad ipam gram s disspo,,
sitive et io erf dr ee i cpleta
et erf ppr hac qz vtg p(er)pua di,,
spositive attingt ad gram cro con,,
tento primo intentois crecionis
s placit. hac vlt inpeat q
gra quod pertu direte cstnet
drt crgta q e i virtutibg et
donis quadus ex illa gram
p(er)quadad cfirmatoe cincat
cont illa virtute inspec po,,
sitiom dne stotis primo pr gra
q cseq psece tat adeo
cigit no prepuit ftez disspo,,
cem n cua sz karartem ul
ornatum pme asect et pducta
nd dica disspositio zequirat ad,,
tm cdois q ca pppont
pt thz dispositio ienads
karact ret ornatg a cetur
asect subito ul succssive
no successive qr io dcg erad
cam succssive ronpar
successois no possit cequa zo
causa assigneri cu iponti p
tacis rnud ul in ultio ul
in aliquo medio si ipmo cgi
pertu zm ad te qd sequnt,,
ponis plas ro ed pppliut
et ita s pq pdud placozoit
ducit deus no com cspesz
cua illa dispositoem et gras
et totus effectum pacti. Sed ar

Si dat adz ipstat medium s
dicas qr in ultio ipon ti cidte
ad pt dcois ul tm vltia kra
ul pilla i et vltia kra ul pilla
nd vltia gutta aq sufficit
ad karacterizand. et ad gram
bapte apmend ... pt diri q
in diute precedenti hoc fiat
pr gutta iq qr ouq actuce,,
tedena agens attingit actute
precedend ipnit ad passum
et alsp precedentia ipsessus
... sacto no pt agere instan
nd ipn e in ultio adinstatio i
no sut q to dem argut est
hac qr ponit illa vltiapsec
tatz itero pluent cuia i
illa vltia e coad oug pilla
ut adt et ad omelia et alia
si coad rex tum inicat ipsius
pma placois nona et ca pilla
inouet pt nd adt i vltia m
gralit desecto in subitum si
pt adt et adt cgit qz causa
tat gram ut cilla ... no
palid ipentid e goenies cgi
qd artifex vt to s at pq i
no pdz vtg e ... papphia
roem ad opus tamp cinfiet ret
dts ... ipse to sukt in a
tkis vltg e poneda i prit ze
or oialys dim qr pd lequnt
defects psto sz de sukta q
zata ut dcepd cpserroe pacli
q e oria adsctud awe tkis
ta pot ulam pmo todo spes
ipa ponis no ou ee causa
ipen attingendi effectu sz
existenud reale cdt ... rer
ad dispositoem aliquad ad
illa effectud ptrat de ssi qr
illa vna placa no attingunt

insufficientia qr e ... hui con,,
serratois ... insufficiens no stat
nd virtute pma nec attin,,
git aliquam dispositionem pma
ad illa insufficientia qr ad id di,,
spositio est ... no
... inutro no pt dici
non insuper qr ... dis,,
positio pma ... apponet ... quod
illa dispositio est ... actn,,
... est ... nativi,,
... illa ... illo spacti
est ponis qr qr e dispositio
est et ... subitum pt ... med
ipse apponti est ponis ...
e ... dispositio et ... qd
includit gradus. Aliter dr pot
qr ... ponit ... pma ia
placa hac e ... inen alta
zet ponis ... realis quod
... placa puta ... pone
e alby ut ... nd ... nolla
licet ... virtute ... ...
affectoem ... apponere. Alias
dr ... no e ponda
pluralitas ... nui ... ptim
1a pte et 2a et 3a dociu qr
oia ... fruita i ... infide
rat ... pla ponenda
quod ... zeft ... necessitas
... zeuut ponetes
... inatque ...
... exuti ... infra Consi
qr exqno ... i a quod illa
oppio ... infist e vtg penat
tur zeatz a deo et ... in appli,,
cacoe facti ad opus ... in ugi
pbabi dici pt qr ... debita
facti applicacoe et suscep,,
coem dcg zeet ... effectus
tenad ... sufficiens pacta et
no ponis ... et no inete

... virtute media ... et
ita ut ponit oppio ... inc
cinenstiug ... sacto
torieus ... in omnino ... uid
... tke virtutis placis
s illa no pt plurificanda s
inute ... illa inotua et
pluraz ... et
... illa inotina ... pro
... sen ponis apparet
quadi tn oppio ... ocamd
... et ... dicit
qr ... pro ... en,,
defendo ... sim dco
... alexandro apphauit
no dicedi qr no eet ... vtg
ponenda infect Deo pp ...
... fundenda ... pma
illa ... no ... no ...
... deo ponetne ... effectibg
... et ... constat
ponetibg debite ... que
... ad ... ut ...
ponenda instituit ipse ...
... effectu ... ecs
... ee e ... no e ... effectu
... illud ... ponit ...
... deo in ... dic
... deo ... appue
eo qr ipse ... sequt
disponit debere ... ad hoc
... fueit dinet qr
plm Aliqui ... dcg
... ee ... i ... ral
... illud Sunt dicas po,,
... no meu ... et ... ego
... ut gram
... pnisseud ... imetta
... hes ... infra,,
... ul pdesse ... et
... ibid ... mali

sacerdotis excepte dicit per quod ordinis
specificum caracterem persona sequitur
digna aut indigna sed omnes
traditores ut exprimit ad bonitatem
recti sit vero tamen possit [illegible]
fuit ordinatus ut officium mi-
nisterii exhibeat et subdit
dei ut ei effectus tribuat [illegible]
dantis ut conferat. Item predicta
que sunt plures expresse auc-
toritatis alleguntur origine [illegible]
xto dicitur et q[uod] voluit quod mi-
nister solum exhibet ministerium
operando ista visibilia sacramenta
et cum ista dicit sanctificare sacra-
mentis ea mox interiori dum
debite habitus applicando et
adeoque sanctificatorum vera de te
proferendo et signa faciendo
deus aut invisibiliter gratia sanctificat
et effectus sacramenti se solo operatur
Ex quo sequitur quod sacramenta non le-
non efficiunt ea quod significant per
virtutem elementi ut diximus ante
eo ut per ministrum ut ab ipso spiritus
intendens patet quod ea significant sa-
cramenta sola virtus divina sine
operatione qua adiuvat [illegible]
operatur ut satis patet ex dictis doc-
torum sententia praeallegata tertio
Ex quo sequitur alterum quod sacramenta
[illegible] inter naturam suam non contineatur
[illegible] ad aliquem effectum
[illegible] productivum admittitur
gratie requisitum patet quod [illegible]
effectus recipit admittitur
gratie nisi debitam applicationem
sacramenti ut dictum est. Item
ait sit Thomas dictus quod
illius effectus ornatum
karacteris aliquis vel alius spiritualis
ornatus aut adeoque sacramenta

effectiue attingunt tamquam in-
strumenta divina virtute sed hoc effectus
quartus karacteris vel ornatus est
forma supernaturalis et perfectionem
esse effectus aliquis actionis vel rationis
et per gratiam sacramenta non possunt ad
eam attingere productive
Secundo quod sacramenta non le-
divine seu effectus sacramentalis ra-
tione sui dispositiua dispositi-
one extendit habilitando subi-
ectum ad recipiendum gratiam non
[illegible] sed ex ordinatione et
pacto dei patet quod sacramenta non le
[illegible] ea gratie ut effectus
ut que significant sed non alio
quam illo de quo dictum est. Tertio ut
deduci potest ex dictis. Item apud eos
tenet Thomas dicens quod sacramenta. Item
[illegible] ista dicitur quod gratia dicit quod
sacramenta non agunt ad creationem gratie
ut principale vel instrumentum vel dispo-
sitive saltem per aliquam actionem
supernaturalem quod aliqua actione aliquis
aliud agat ad gratiam sic in pa-
ssio quondam actionem naturalem ut
aqua in sacramento baptismi sic ablue-
re corpus et prima actio sua ablucio
dicitur ipsa actio non tamen accidentalis
per dei instrumentum virtute gratie
quam sufficit sed ablutione in te-
riore aut adaequat aut divina
patione est ordinata et sic
reduci potest ad generis hic effectus
quod primo quod per alias divinitate
in aqua posse causare aliam
dispositionem in ipsam effective
virtute gratie ita ego pono dicit
Prout ablutiones et viniones
dei non sunt de ratione divina di-
spositionem ad gratiam actiue et sic
expiratione divina sunt instrumenti

de ornatu vel karactere. Item
probat hoc, casu quo in medio gratie
sive eorum effectiue virtute sua
quod per creaturam accidit prima
et tamen ut principale vel instrumentum causat
dispositionem aliquam a se virtute pre-
via sicut ista est quando dicitur per deca-
lucem et unionem vel instrumentum Alia
ratio non le sacramenta vel opus operati
non merito operantis saltem de per se
efficiunt suo quod significant patet
ex dictis eo quod facta debita eorum
applicatione ministro debito sive
sit bonus sive malus semper sequitur
effectus ex divina operatione seu
passione vero quod de quo effectum
operantur. Item probat sacramenta nove legis
dicunt a sacramentis veteris legis quia ad
bonum ut gratie conferebant ea quibus
in quibus applicabant erat ex parte
aliqui operantis vel deprecationibus piis
applicantis et recipientis et non
ex opere operato excepta sola
circumcisione cuius causa est de sacramentis
nove legis et sacramenti [illegible]
quod predicta quod in vel. Item alias gratie
in sacramento collate non decent
dum sacerdotem sed meritorum tamen
non attribuitur sacramentis sed merito. Item
sacramenta in merito morte et passione
xpi virtute receperunt igitur non ex
merito persone sed effectus effectus
causis predictis C[apitul]o x dicitur ea [illegible]
Et dicitur sed eius impunitum allegat
dictum augustini in libro de [illegible]
dum dicitur de sacramento eukaristie quod
non in merito consecrantis sed in verbo
efficitur creatoris et preterea dicitur quod
quod hic iam de baptismo et vivifi-
care est faciendum et tenendum
quod virtus divina secretius operatur
in eis et ideo est hic solutio
virtus hec sine peccatis non fuerit
efficatie Ex hiis patet alterum quod

aliquo modo potest gradi quod in sacramentis
est virtus gratie ut effectus
sacramentis est per se Arguitur secundo virtus
est ultima potentie utique primo celi
sed ultimum competens signi est quod ipse
sit sacro signatum sicut deus aut
potest assistit sacramentis ut semper efficiant
consistit quod demonstrat ut potest [illegible]
ex parte suscipientis Item hoc patet in
quod dicit Augustinus super Johannem tanta est
virtus aque ut corpus tangat et
cor abluat hoc vero non est nisi
de aqua virtute supernaturali exsisti-
mata et eodem de aliis sacramentis
Item quia virtus non est ens fixum
ut dicit sed non quod non est forma
habens completum esse vera ut alia
tamen qua competens entis vero
exigentia ut forme sue
agenti Sed est pro ens incomple-
tum competens verum ut est in-
strumentum ab alio et talia entia
integrosque solent vocari ut dicit
ibidem doctor. Et expedit patet quod
non est item virtute instrumenti
ponere sed mittit etiam dictum augustini
omnino ad dictum movere patet quod
aqua vel per applicatur ut designi-
ficat veritatem divina sacramentis assistens
effectum operatur. Ex hiis dictis
patet faciliter responsio ad motiva
sancti Thome et alio ad ponendum
sacramentis esse virtutem spiritualem de
qua dictum est quo primo patet quod per
[illegible] tamen volunt apparet
sancti Thome solvitur [illegible]
ad aliam partem adducta patet
si videlicet expedire et hoc
dico de [illegible]
[illegible] in quo videbitur dicto
sed a quo non le sacramenta sicut ha-
beant efficaciam. Sit ergo prima

h

Sicut sacramenta nove legis habent effi//
caciam a passione Christi sic etiam efficaciam
predicti sunt ex Christo pendere et ab
eius passione habent efficaciam ut
a causa meritoria. Prima pars
patet quia sacramenta hec efficaciam
ipsorum requirit hec effectum rege//
nerationis gratuitate ergo ab illo
habent efficaciam sicut a causa agente
principali a quo producitur principalem
effectum eius et a quo habet virtutem a//
ctivam producendi et producit. Maior
habetur quia effectus sacramentorum producta
sunt ipsorum soli deo sicut constat quia deus
eius potest creare causa eorum ad eorum
effectus soli ipsius primo solus deus
destinavit sicut potest ad causandum effectus
requiritur — — Consonantes sacramenta
Secunda pars patet primo per Augustinum super
decimo in exordio generis humani de
latere viri dormientis detracta
costa edificata est femina Christum
et ecclesiam mistice significans quia pre//
tendebat sopor quippe ille viri dor//
mientis mors erat Christi cuius
exanimis in cruce pendentis late//
ra lancea perforatum est atque inde
sanguis et aqua profluxit quod sacramenta
esse novimus quibus Christi edificatur
ecclesia. Item Augustinus super Iohannem
de ea dixit in cruce miles lancea latere
hostium aperuit perfecto ut ostenderet
quod lancea crucifixi latus per
foratum est hac atque ad illud
vitales ingrediuntur quia inde
sacramenta emanaverunt quibus re//
demptio habetur. Tertio quia consequens hoc
sacramento primo deus principaliter dispo//
suit deus non remittere peccatum
nisi aliquid commendatum daretur
ad illius remissionem seu ad eius ---
nem et hominibus eius pro aliquid oblatum
gratum ad acceptandum quia illa

culpa erat ingrata ad displicen//
dum creditur, cum et tale veniale potest
esse cum aliquod obsequium esset
magis dilectum quam tota gentilitas
illa qui offenderat erat in eo
esset si non offendisset et ideo
ad personam sic dilectam non po//
tuit genus humanum. Ex hoc
quia totum dominium fuit de una
massa peccatorum scilicet dispositum sine
terminis sic dilectus dare genus huma//
num ut ipsum Adam ordinare et
inclinare ut talem offerret obs//
equium Christo toto genere talis
autem persona non est nisi Christi qui
non infectam decet deus perfectum
esset et tale obsequium illud
in quo apparet maxima caritas
quod est offerre se ipsum ad mortem
pro iustitia. Item scilicet talibus nullum
adiutorium pertinens ad salutem
contulit homini viatori nisi virtute
Christi. Hec oblatio Christi fuit et apud patrem
dignissima et maxima caritate
ac propter hoc passio fuit meritoria
boni collati homini viatori. Secunda

conclusio licet passio Christi erat tamen
meritoria actu efficacie sacra//
mentorum nove legis et actu gratie
collate omnibus sanctis tamen adhuc
habet efficaciam actu meritoriam pas//
sionis et gratie cum et conferende.
Probatur quia ipsum obsequium exhibitum
magis acceptum quam primi sed
tunc terminis ad non conferret gratiam
propter passionem Christi talis exhibita
et est omnibus credentibus ut
exhibitum tunc est contulit propter
eam ut aperta pro infirmum et
ab aliis fidelibus credita ut
non exhibita sed exhibenda id est

Contra illas duas conclusiones passio
Christi non est meritoria scilicet nunc actu
effectus est in actu propter quod ad et
regnum sacramenta nullam habent aliam
efficaciam nisi est in motu in
dictum sunt lapsa ipsorum sacramentorum et gratia
quia ea meritoria et effectus
meritoria sunt sicut est motus secundo
physicorum et quinto metaphysice. Responsio conclusio
quare non est ita meritoria actu
nisi sint effectus sacramentorum sed
quia passio Christi non sit ita merito//
ria in actu effectum sacramentorum
omnis est perfectum ad secundo et eius
ratio. Loquitur sic hec efficaciam
apud deum Christi hoc maxime certe
caritas latere Christi ubi dixit
Augustinus prius allegatus constat
sanguis quia id est unus fuit sanguis (?)
tunc respondeo nunc non omnino (?)
in Iudeorum autem venisset
et ascendissent eum iam mortuum
sed Christus post mortem non erat ita
meritoria est gratie igitur
Ad primam conclusionem respondeo et pro//
batur quia et sic passio Christi non sit in
in actu et tamen in acceptatione
divina hoc autem sufficit ut sit ita
meritoria quia nunc quia nos multa
conferimus propter aliquid bonum non
presens nunc sed futurum sic meritoria
una si sit sicut ut in oppositione
si sit futurum Ad secundum videtur
quia nichil est aliquid est quod gratia non
habet causam meritoriam de condigno
ipso enim confertur tamen sicut hec cau//
sam meritoriam maxime sicut ita ita
meritoria sicut extrinseca et gratuito
data alicui pro quo est meritoria ut
sit ei videlicet ita Item licet pura
precedentia passionis gratiam meruit non
posset id est sine merito gratia tamen passio
gratia habita sit merito sicut augme//

tum gratie et tale meritum non est
prius ex nobis sed cooperante nobis
ad gratiam. Ultimo ad Ad secundum (?) loquitur
contra istos qui concedunt de iure divino quod
ex operibus est de condigno et sic dicuntur
quod si id est unus fuit in fluctum
Christo per mortem ut placuit ad patrem sacra//
menta fluxerit ab eo tamen ea
predicti meritoria sed dicuntur
inde fluxisse propter quod quodam figura
expressionis eorum qui inde fluxe//
runt ad significandum quod spiritualiter dicitur
sacris sanguinis in sacramentis sensi//
bilibus consistat sicut in spirituali
sanguinis id est et corporalis
consistat materia lavacri quod sunt
duo predicta sacramenta et reliqua et inde fluxit
post hec Lex de remissione for//
tune ubi dicitur quod omnes sunt duo
sed aqua et sanguine duo
maxima sacramenta significata et
de presens reliquit. Hoc quod sacra
sacramenta efficaciam a passione Christi
talis etiam meritoria quia deus
caritatis voluntas Christi quia voluit
mori pro nostra salute et acturus
tamen pater acceptat talis essentia
per peccato credentium infinitis pasti//
et generali statuit quod viatori
ante suscipienti sacramenta di//
mitteret peccata et daret gratiam
nisi si preveniret ipsius usque
daret si etiam sic id plene
declaratum fuit in quarto articulo
et sequentibus duobus conclusionibus
id amplius declarat hic. Ad
d. si sacramenta habent efficaciam
a passione Christi ut exhibita tunc
baptismus et cetera nullam habent
certam efficaciam quia fuerint ante
passionem et mortem Christi in

prima

adde m

adde m

Ad primum

2a conclusio

2m

Pro sacramentis veteris legis habent efficaciam

7

stituta videlicet Attendat status quia pro
dicti quod omnia sacramenta nove legis
habent efficaciam huius a passione Christi
ut exhibita non solum actu
exteriori sed interiori Sicut enim
apud antiquos [illegible] habuit
meritum patres et cum interiori
actu concipit [illegible]
et ideo Christus instituit in specie vite
sue potuit et hec tunc effi-
caciam a passione [illegible] volita
a Christo [illegible] voluntate erat primo
oblatio et maxime grata deo
propter dictum quod fuisset in passione accep-
ta cum incarnatione quia si deus
ad providit non tunc fuit obla-
ta actu interiori cum exteriori
Et sufficit status ad predicti quod sa-
cramenta non solum [illegible] Christo habere
habuerunt efficaciam quam per eius
passionem et tamen non fuit inquantum
ut constituerent [illegible] et
erant instituta non plus sed propter
per modum cuius habitum erant primo
efficaciam etc.

Circa dicta est dubium primo
de sacramentis sacramenta primo sep-
tenarium instituta. Non pro
quod sacramenta sunt instituta in reme-
dium contra defectus et vulnera
et ideo sunt septem sed defectus pro ratione
sunt sacramenta instituta. Sunt tres
defectus culpabiles scilicet originale
contra quod institutum est baptismus actu-
ale mortale contra quod est penitentia et
actuale veniale contra quod est extrema
unctio [illegible] instituta
Christus defectus sunt penales et pe-
ne [illegible] defectum scilicet [illegible]
et [illegible] est infirmitas [illegible]
[illegible] quod est [illegible]
Ignorantia contra quam est ordo sed

ordinatus docet et docet [illegible] Con-
cupiscentia [illegible] quantum ad
carnalia contra quod est matrimonium et
concupiscentia [illegible]
et supra [illegible] contra quod [illegible]
ubi agitur commemoratio [illegible]
filii dei et memoria [illegible]
tissime [illegible] Secundo et [illegible]
peccatum [illegible] sunt septem sa-
cramenta [illegible]
requisita [illegible] legibus ut sacra-
menta [illegible] et dei cultus
sit de lege [illegible] aliquod re-
quod deo offeramus [illegible] legem
Et hoc sacramentum est eukaristia quod non
posset esse salutarior et pla-
cabilior oblatio. Tertio [illegible]
[illegible] oblationes [illegible]
[illegible] et [illegible]
et est sacramentum ordinis. Quarto [illegible]
quod [illegible] hanc huius legis
[illegible] et designavit [illegible]
[illegible] et est baptismus Quinto quod
[illegible] pugnatores [illegible]
potissime si sunt [illegible]
[illegible] et est sacramentum confirmacionis
Ubi datur spiritus [illegible] quod
maxime fuit [illegible]
[illegible] Sexto
[illegible] lege [illegible]
et remedium [illegible] legis [illegible]
[illegible] sunt fideles [illegible]
est sacramentum [illegible] Septimo [illegible]
lege [illegible] regulandi
[illegible] et quo [illegible] est sacramentum penitentie
[illegible] est aliquod speciale [illegible]
[illegible] ordinatur ad [illegible] et [illegible]
[illegible] illic [illegible]
et ideo indigent salubri con-
ductu quod sit per extremam unctionem
et [illegible] septem sacramenta

Secundum dubium [illegible]
Utrum omnia sacramenta sunt a Christo in-
stituta dicitur aliqui quod Christus
solum instituit digniora sa-
cramenta et principaliora [illegible] ut
baptismus eukaristia ordinem et penitentiam
Alia vero apostolos instituenda
commisit [illegible]
[illegible] Magister
quod fundamentum [illegible] po-
suit [illegible] fundamentum [illegible]
[illegible] Hugo [illegible]
aliqui [illegible]
[illegible] quod Christus omnia
instituit [illegible]
et [illegible] aliquo [illegible]
[illegible] apostolis [illegible]
commisit [illegible]
[illegible] de baptismo [illegible]
[illegible] institutum
Iohannis 3° [illegible] quis renatus fuerit
[illegible] regnum dei [illegible]
resurrectionem Christi [illegible]
[illegible] Matthei ultimo Euntes
[illegible]
[illegible] Patris [illegible]
[illegible]
eukaristia [illegible]
ubi Christus [illegible] et [illegible]
[illegible] sanguinem [illegible]
[illegible] Lucas 22 Hoc est [illegible]
[illegible] Christus [illegible]
dicit ego sum panis vivus qui
de celo descendi [illegible]
vere est cibus et sanguis meus
[illegible] vere est potus Et [illegible]
[illegible] carnem et bibit meum
[illegible] sanguinem [illegible] et
ego in eo De extrema unctione patet Iohannis
2° ubi Christus [illegible]
[illegible] condidit [illegible] sed

[illegible] de prima [illegible]
[illegible] peccata remit-
tuntur et [illegible]
[illegible] dicitur quod [illegible]
[illegible] oleo et [illegible]
[illegible] quod non est dubium [illegible]
[illegible] Christi [illegible]
[illegible] a Christo est [illegible] Iacobi [illegible]
[illegible] homo [illegible]
[illegible] sunt instituta
[illegible] per [illegible]
sunt [illegible] et remedium
et per Christi [illegible] sunt [illegible]
[illegible] remedium et sacramentum
Desponsacio [illegible]
quia ordo sacerdotalis [illegible]
disposuit [illegible]
[illegible] et tradidit Christus sacerdo-
tibus quod sacramentum penitentie instituit
[illegible] hoc [illegible]
et salvatorem instituerit [illegible] duo
sacramenta penitentie et eukaristie [illegible]
sacramentum ordinis instituit et patet
quod omnia sacramenta non [illegible] sunt aliquo modo
a Christo instituta ut [illegible]
[illegible] apparue-
rit [illegible] omnia sacramenta non [illegible]
baptismus [illegible] de latere
Christi Confirmacio [illegible]
[illegible] quo roborarent
ut [illegible] fidem confiterentur [illegible]
Augustinus super Iohannem [illegible] in toto [illegible]
Christi [illegible] Christi quod
fuit deo hostia [illegible] Christus [illegible]
[illegible] sunt sacerdos et hostia [illegible]
Augustinus x de civitate dei [illegible] obla-
tionis [illegible] sacerdo-
tem [illegible]
[illegible] sacerdos [illegible]
offerendo se deo [illegible]
idem ut dictum est [illegible] sunt
sacerdos offerens et hostia oblata

Secundum [illegible] etiam copulatur
[illegible] meritis eius ante
tione vel melius pfaganmichim
ente de [illegible] emanante

Tertio dicitur quod sacramentum
sit dignius et efficacius
[illegible] quibus eorum [illegible]
[illegible] aliorum excedens et excessus
[illegible] respectibus. Nam baptismus
excedit ratione efficacie quia tollit
[illegible] culpam et penam [illegible]
[illegible] baptismum. Eukaristia excedit ratione
continentie continet enim principalem fontem
[illegible] excedit ratione effectus
quia ad dignitatem [illegible] ordo quia
[illegible] ad hoc excedit ratione digni [illegible]
[illegible] quia ordinatus ad dignitatem
statum [illegible] ex-
cedit ratione [illegible] quia [illegible]
[illegible] amicione xpi nec etiam [illegible]
[illegible] et [illegible]
[illegible] baptismus [illegible]
[illegible] signo [illegible] crisma [illegible]
et tunc [illegible] que

Quarta [illegible] qua
[illegible] circumcisio fuit colla-
tiva gratie ratione [illegible]
[illegible] non [illegible] antequam [illegible]
[illegible] si circumcisio fuisset
collativa gratie tunc non debuisset
cessasse in adventu legis gratie
[illegible] translato sa-
cerdocio [illegible] ut legis translatio
fiat [illegible] adventu xpi [illegible]
gratie translatum est sacerdotium [illegible]
quod fuit secundum ordinem aaron [illegible]
sacerdocium xpi quod est secundum ordinem
melchizedech sed lex [illegible]
[illegible] gratia [illegible] quia [illegible] gratia
ad gratiam [illegible] repugnantia
[illegible] collatum gratie ad aliud
[illegible] potius videretur [illegible]

[illegible] ad gratiam [illegible] magis [illegible]
fuissent [illegible] oppositum [illegible]
[illegible] dimittebat peccatum
originale [illegible] baptismo [illegible]
[illegible] dabat [illegible] gratiam
[illegible] beda [illegible] luce 2o [illegible]
[illegible] dies octo [illegible]
[illegible] in lege agebat quod baptismus
[illegible] gratie agere [illegible] circumcisio
[illegible] gratia [illegible] contra
[illegible] circumcisio fuit instituta
directe ad delendum originalem
culpam [illegible] demeritis
et [illegible] et habetur de
[illegible] instituta est
circumcisio [illegible] ad purga-
[illegible] peccati [illegible] valebat [illegible]
et [illegible] baptismus [illegible]
[illegible] instituta est [illegible]
[illegible] circumcisio [illegible]
delevit originalem culpam [illegible]
gratiam [illegible] ratione operis operati
[illegible] expressum [illegible]
tenet [illegible] et [illegible] ratione quia
[illegible] non daret gratia
[illegible] tolleret culpa et [illegible]
possit [illegible] gratia [illegible]
originali peccato mediante [illegible]
[illegible] non [illegible] gratiam
non videbit deum [illegible] pe-
nam [illegible] originale
[illegible] videre [illegible]
[illegible] circumcisione
[illegible] aliis [illegible]
legis [illegible] quia [illegible]
efficaciam [illegible] instituta
[illegible] instituta [illegible] ad effectum
[illegible] gratia
aut [illegible] excederet
[illegible] gratia [illegible] gratiam ex par-
te [illegible] et [illegible]
non [illegible]
[illegible] fuisse

circumcisio [illegible] ordinabat ad de-
lendum peccatum originale [illegible] non
[illegible] gratia [illegible]
[illegible] sacerdotalis [illegible] ordinabat ad
[illegible] sacerdotum [illegible] legis
[illegible] gratia
[illegible] vero [illegible] ut [illegible]
[illegible] ordinabant [illegible]
[illegible] ad tollendum [illegible]
[illegible] legis [illegible] ab
ingressu templi [illegible]
et [illegible] non [illegible] gratiam ex
opere operato [illegible]
[illegible] ve-
[illegible] et [illegible] videtur [illegible]
[illegible] circumcisione [illegible]
[illegible] non [illegible]
circumcisio [illegible] gratia [illegible]
gratie baptismus [illegible] non [illegible]
gratiam [illegible] esset [illegible] dei
[illegible] non [illegible]
[illegible] fuit
[illegible] quia non [illegible] fuit
[illegible] baptismus
Item gratiam [illegible]
[illegible] morte xpi et circumcisio non
[illegible] gratiam
et [illegible] post mortem xpi [illegible]
[illegible] non [illegible] ad legem xpi
[illegible] ad quos non [illegible] publicatio
legis xpi [illegible] 3o quia non [illegible]
[illegible] forte [illegible]
[illegible] gratiam gratie ita [illegible] ultra
illud non poterat [illegible]
[illegible] et ita [illegible]
[illegible] invenisset [illegible]
[illegible] et [illegible]
[illegible] de-
[illegible] Augustinus [illegible]
[illegible] quantumque [illegible]
[illegible] ad baptismum [illegible] ibi
gratiam recepit. Nam baptismus [illegible]

[illegible] gratiam [illegible]
sit [illegible] circumcisione [illegible]
[illegible] instituta fuit tamen signa-
[illegible] quia [illegible] attingebat [illegible]
[illegible] gradum
ad quem [illegible] fuit circumcisio
et [illegible] gratie [illegible] ex opere
operato [illegible] ex opere operante
quia [illegible] quo [illegible]
fuit [illegible] fuit [illegible]
[illegible] et [illegible]
[illegible] doctorum
qui [illegible] vellet tenere [illegible]
quam [illegible] videntur [illegible] verba
[illegible] ve le-
[illegible] gratiam ratione operis op-
[illegible] circumcisio [illegible]
delevit originale culpam
[illegible] ad [illegible] ad [illegible]
[illegible] dicit [illegible] circumcisione
[illegible] gratiam [illegible] virtu-
te [illegible] virtute [illegible]
dei [illegible] in lege nature de-
lebantur originalia et dabatur
gratia [illegible] virtute fidei [illegible]
[illegible] et [illegible] aliquid ut aliquid
dixerit ut [illegible] fuit [illegible] que
[illegible] parentes [illegible]
[illegible] infideles et [illegible] fuit
[illegible] oblatio [illegible]
[illegible] virtute circumcisionis tolleret
peccatum originale et [illegible] daretur gratia
[illegible] sacramenti [illegible]
virtute fidei [illegible] infideles
[illegible] ut [illegible] 1a [illegible]
[illegible] ad [illegible] respondetur
[illegible] parentes [illegible]
[illegible] et [illegible] gratie
[illegible] quod daret
[illegible] ad [illegible]
fideles et [illegible] salva-
ret [illegible] 3o [illegible]

parvulis circumcideretur in malo cum peccato
et haberet parentes infideles qui tamen
offerrent ipsum ad circumcidendum quia per
meritum adulti [illegible] si non conferretur gratia
ei perfecti ut dicitur, id est puer
mundabatur a peccato originali et non
haberet gratiam quia actum tale con-
tra in ponatur cum malo nec tale
fidei parentis offerentium non pro-
hibet sed quia sunt infideles etc.
Item parvulis nati et cum non fuis-
set filius regni qui sub gratia non
filius perditionis qui sub peccato et fuis-
set de genere lege data aliquando me-
dium cum filius regni et filius
perditionis posset forte dici quod sic
cum puer recepit effectum baptismi
virtute fidei et cum hoc infideles essent
et si parentes ut offerentes
ipsum essent infideles sic pro qua
dicetur dicitur sed si forte dabatur
gratia non virtute circumcisionis quia
sacramentum ad hoc non fuit institutum
sed ad delendum originale sed dabatur
gratia virtute fidei esse mediorum
et ex sorte sunt defuncti
quia ipsa parvulis perfecta munda-
bantur a peccato originali et da-
batur eis gratia ex virtute fidei
esse te fidelium. Et propter
adem actum [illegible] adiectores
quod est durandi. Tertio quia
[illegible] quandam circumcisio spectavit
venit ad legem [illegible]
tum prout spectabat ad statum
legis scripte. Omnia praecepta
quae fuit tempore legis nature et ante
legem scriptam [illegible] quae prepa-
rabat ad susceptionem legis
et publice fuit observata et ideo
ea tradita [illegible] quia lex
scripta non debuit dari omnibus

cum peccato fidei et in cognitionem populum
fidelem per congregationem et ab aliis
distinguendi quia lex ei daretur
et hoc modo videtur ad fuisse cir-
cumcisio et propter hoc dicit Hugo quod
sunt sacramenta legis scripte sunt
deinde sacramenta legis nature et fuit
offerentia sacramentorum quae praedicta
sancta quae sunt [illegible] magis [illegible]
rebat [illegible] quia circumcidebantur
quam magis [illegible] sacrificiis
et fide mundabantur et [illegible]
hic conferebatur gratia quia [illegible]
dicitur quod data fuit Abrahe
specialis bona [illegible] quod data in
signum distinctionis tam fide et
tam carne eo quod in primo principale
colendus fuit deus et [illegible]
tam carne nascituris erat Christus
et quia Abraham primus fuit qui
reliquit terram suam propter cultum
dei et excellens fuit in fide et
sibi facta fuit promissio de Christo quod
dictum sibi fuit in semine tuo bene-
dicentur omnes tribus terre. Quarto propter
tempus sui [illegible] data fuit
circumcisio quia preparabat et congrega-
bat populum cui danda fuit lex
et de quo Christus voluit nasci ex
quibus sequitur quod non erat [illegible] cir-
cumcisionis observata fuerat de-
[illegible] sancti [illegible] quia deinde [illegible]
[illegible] secundo fuit [illegible] masculi-
nus et [illegible] quia circum-
cisio fuit [illegible]
[illegible] ab aliis nasceretur [illegible]
Christus debebat de ea nasci. Et quia
propagatio et genealogia attenditur
penes mares et [illegible] fuit
data circumcisio et non mulieribus
et data fuit in membro quia ipsum
maxime [illegible] circumcisio
et [illegible] significatione [illegible]

[illegible] circumcisio [illegible] purgante
[illegible] purgatorem non a peccato ori-
ginali sed originale [illegible]
[illegible] fuit [illegible]
[illegible] propagatione [illegible] ad manifeste
[illegible] originale [illegible] et quia
originale contrahitur per delectationem
et libidinem [illegible] fuit institutum
circumcisione [illegible]
ut [illegible] peccatum originale de-
leretur [illegible] per delectationem [illegible]
et quia peccatum originale [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
postea [illegible] fit [illegible]
[illegible] tempus [illegible]
ad circumcisionem [illegible] fuit deinde
[illegible] quando ad [illegible]
[illegible] circumcisionis [illegible]
[illegible]
senex circumcisus fuit [illegible]
circumcisionis [illegible] tempore [illegible] octavo
die [illegible] et [illegible]
[illegible] ipsa circumcisio [illegible]
circumcisione [illegible]
et [illegible] omnia [illegible]
[illegible] octava [illegible]
octava [illegible]
[illegible] absolveret [illegible]
[illegible] et [illegible]
octava die facta [illegible]
die [illegible]
[illegible] et [illegible]
[illegible] circumcidit [illegible]
et [illegible]
[illegible] circumcisionis [illegible]
[illegible]
[illegible] dies [illegible]
[illegible] quando [illegible]
[illegible] sub precepto circum-
cisio fuit [illegible]
[illegible] octavo die
circumcideretur puer propter teneritate

posset mori et si ultra differet
[illegible] forte moreretur
sine circumcisione et libentius parentes
differrent propter dolorem [illegible]
[illegible] dies [illegible] octavo [illegible]
quod circumcisio facta [illegible] die
[illegible] sed [illegible]
[illegible] et debuit eo die octavo
circumcidi [illegible] quia si [illegible]
[illegible]
[illegible] periret
[illegible] si tempus [illegible]
[illegible] non poterit [illegible] dif-
ferri sine peccato. Circa hoc est
opinio [illegible] quod [illegible]
non poterat ut differri sine
peccato [illegible]
[illegible]
[illegible] fuit [illegible]
circumcisionis [illegible]
ad [illegible]
[illegible]
poterat [illegible] circumcisione [illegible]
[illegible] fuit [illegible]
[illegible] quia [illegible]
[illegible] poterant genti-
bus [illegible] indigebat al-
[illegible] distingui et [illegible] voluit
differre circumcisionem [illegible]
ut [illegible] contra promissionem
[illegible] spatio
dierum [illegible] timebat
[illegible] poterant [illegible]
debebat [illegible] damna-
batur [illegible] damnaretur puer
[illegible] et [illegible]
[illegible] quo [illegible]
[illegible] Hugo [illegible]
[illegible] debebat [illegible]
[illegible] differri ultra octavum diem [illegible]
[illegible] dispensavit alias
[illegible] conat

Mos modernorum quem adhuc observant
et consilio ab omnibus fidelibus recepe-
runt Illum enim ante octavum diem
circumcidebant et filium ad offerebat
deo ante octavum diem Item si po-
terat preveniri tempus octavo morte fuisset
[illegible] consilium parvulus non
non fuisset secundum quod ex parte dolore
circumcisionis fuisset anticipata consilium
[illegible] et mater [illegible] aliquem in opere
aliquo evasisset morte [illegible] tunc
puer moriens ante octavum diem et
non circumcisus dampnatus fuisset quia
si bene masculus cuius caro prepucii
octava die circumcisa non fuerit peribit
de populo suo Item quia remedia
[illegible] terre prepucii octava die
non circumcisa fuit et quia non erat
obligati ante quod [illegible] eius octava
[illegible] quod mulieres et cum eo [illegible]
originali curabantur pro [illegible]
alia Sed est dubium cum quis parvu-
lus mandatum illo remedio quod [illegible]
[illegible] ante octavum diem
et tunc non circumcideretur et [illegible]
[illegible] tunc querit an salvaretur
an non Si non salvaretur ex parte
parentis amittit gratiam [illegible]
si constat quod propter peccatum patris non possit
[illegible] perdere [illegible] Item
aut salvatur et non est octava die
circumcisus [illegible] quod dicitur
masculus cuius caro prepucii circumcisa non fuerit
quod secundum circumcisionem [illegible] reme-
dia non disponebat parvulum ma-
sculum ante [illegible] quod [illegible]
[illegible] adimplendum mandatum
de circumcisione et ita propter impossibilitatem
[illegible] absolvebatur et si moriebatur
fuit ante octavum diem dispensabat et
curabatur per virtutem non curabatur
quousque mandatum esset totum com-
pletum et [illegible] Sed

si masculus puer moreretur ante circumci-
sionem salvabatur [illegible]
circumcisionem [illegible] parvulus
non baptizatus [illegible] salva-
retur [illegible] quod [illegible] baptismus [illegible]
[illegible] et [illegible]
[illegible] alia remedia evacua-
verat [illegible] circumcisione [illegible] ad
[illegible] remedium saltem [illegible]
diem non est [illegible] parvulus
curabatur per aliud remedium [illegible]
quod et femelle [illegible] salvabat
si ipse [illegible] [illegible]
[illegible] petrinis [illegible] lapideis
non fuit de [illegible] circumcisionis
quod ad [illegible] et [illegible]
fuit facta [illegible] [illegible]
[illegible] cultelli [illegible]
modo circumcidunt [illegible]
[illegible] aliqui de [illegible]
propter hac [illegible] mandati
facta fuit de hac [illegible] et
Josue [illegible] [illegible] lapi-
deos [illegible] [illegible]
[illegible] circumcidendi erat [illegible]
duritia cordis [illegible] [illegible]
[illegible] congruitatis erat et non ne-
cessitatis Quarta [illegible]
circumcisionis non [illegible] [illegible]
[illegible] abraham descende-
runt [illegible] [illegible] primo
[illegible] [illegible] et [illegible]
[illegible] Job non legitur [illegible]
[illegible] et tamen est salvatus et dicit
[illegible] quod [illegible] [illegible] de stirpe
[illegible] circumcisio
precepta fuit [illegible] abrahe
[illegible] semini eius et [illegible] hebreis
[illegible] pactum [illegible] abraham
de [illegible] et [illegible]
promissionis et [illegible] ipsi [illegible]
precepto [illegible] quos [illegible]
dit pactum Et [illegible]

vel [illegible] quia ipsi erant recep-
turi terram promissionis [illegible]
[illegible] circumcisio constituta contra
originale peccatum et [illegible]
si fuissent [illegible] purgati
ab originali [illegible]
quia [illegible] obligabantur [illegible] abra-
ham [illegible] et [illegible] et [illegible]
qui [illegible] descenderunt [illegible]
[illegible] Et quia abraham
[illegible] circumcidit
et [illegible] fuit [illegible]
habiturus Quinta [illegible]
[illegible] et [illegible] [illegible] legis
moysayce cessare debuerunt
[illegible] legis [illegible] quia lex
constituta fuit [illegible]
[illegible] facta [illegible] adve-
niente cessat umbra [illegible] Christo
adveniente cessarunt [illegible]
fuerunt umbra et figure [illegible]
[illegible] exhibite Illud [illegible]
apostolus ad hebreos [illegible]
[illegible] [illegible]
[illegible] Similiter
[illegible] apostolus ad [illegible]
[illegible] [illegible]
veni solvere legem sed adimplere
[illegible] erat precepta [illegible]
[illegible] Christus [illegible]
constituendo [illegible] [illegible]
data fuit circumcisio abrahe [illegible]
[illegible] ad [illegible]
quia [illegible] erat [illegible] alia
iudicialia et moralia et [illegible]
[illegible] [illegible]
Christi [illegible] veni solvere legem
[illegible] [illegible] et
perfectius [illegible] quod iudei in-
telligebant [illegible] [illegible]
de preceptis Iudicialia autem ma-
nent non [illegible] [illegible]
quantum ad [illegible] iudi-
cialia erat [illegible]

[illegible] valent ad [illegible]
quod pena [illegible] ut [illegible]
[illegible] Item [illegible]
[illegible] quod [illegible] iudiciale illius
legis [illegible] [illegible]
[illegible] alii quod erat in
lege moysi [illegible]
[illegible] principibus [illegible]
et non [illegible] legis [illegible]
[illegible] [illegible]
[illegible] umbra [illegible] et ve-
ritas [illegible] [illegible]
[illegible]
[illegible] et [illegible]
oblationes perfecta [illegible] et [illegible]
quosque [illegible] fidei et spei et
caritatis et hec [illegible] completa [illegible]
[illegible] oblata [illegible]
dicitur quod fuit data [illegible]
[illegible] [illegible]
[illegible] non [illegible] ita [illegible]
[illegible] [illegible]
[illegible] [illegible] datur [illegible]
terra in possessionem sempiternam
et eterna est quia terra promissionis
[illegible] possident [illegible]
[illegible] eternum quia non deficiat
[illegible] eius [illegible] sacerdotium
aaron dicitur [illegible] eternum quia [illegible] non
deficiunt tempus cessare [illegible]
eternum dicitur quia sit eternum Item
terra promissionis data est in
possessionem eternam [illegible]
[illegible] [illegible]

Sed circa illud est dubium quia
cessavit in circumcisione et le-
galia [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
tempora [illegible] non [illegible] et [illegible]
[illegible] [illegible] constitutione [illegible]
[illegible] tempus [illegible] [illegible]
[illegible] [illegible] et [illegible]

usque ad passionis consummationem
Aliud fuit tempus permissionis seu
quod incepit a tempore missionis spiritus sancti
et durabit usque ad finem mundi. Et
post tempus huius quod mandata legalia
et cerimonialia dominus [illegible] stringit
nam cum excepto tercio nulla
ad salutem sed ex dispensatione non
quia bone sunt sed quia inde cleri
bonum concessit. Secundo tempus huius legalia
et maxime circumcisionem servari
debere quousque veritas eorum promulgaretur
et instituto non se apperiretur
et ab antiquo primo tempore sub illis anti
quis (?) cessabant sed
illa ... ita ut
per acceptionem notionem videntur
servare legalia aliqui multi
ad quos non pervenit predicatio eorum
ut etiam ipsis apostolis maioribus ex
dispensatione et pia quadam simulatione
erant in [illegible]
quia aliqui servabat et adhuc
parte monet eum auctoritas scripture
Unde ut habetur actus 15 aliqui de
descenderent ex iudeis ad gentes
iam docebant fratres quod nisi circumci
derent secundum morem moysi non
possent salvi fieri quibus paulus
et barnabas resisterunt et ascendi
sed fueat super hac questione ad apostolos
et presbiteros in ierusalem decretum fuit per
beatum iacobum et ceteros apostolos et
presbiteros legalia non esse servanda
Unde debent apostolos per istam formam
et alibi servasse legalia et dice
bant plenam firmam debere secundum
rigorem veritatis et observationem stare
secundum pia placationem perfectis quod
apostolus paulus ad romanos et petrus
sed iudeis tamen iudeos sed dixit
Sed dicitur petrus servabat lega
lia pia quadam placatione ad instrumentum

tatem iudeorum et paulus quadam pia
placatione tamen reprehendebat ad galatas
2. Et sic petrus condescendebat iu
deis in legalium observatione ita
paulus condescendebat gentibus
in illius observantie reprehensione
et petrus non peccavit simulatione
sed ut paulus reprehendit petrum re
prehendendo. Et aliter solvit beatus
augustinus in epistola quod ipse distinguit
sex tempora scilicet tempus condendi eorum
et tempus promulgandi eorum et tempus
custodiendi eorum et promulgatio
Primum fuit ab adventu christi usque
ad passionem passionis et in tempore
sunt legalia confirmata et tunc
christi circumcisio [illegible]
fecerat si per apostolorum predicationem et
completam eorum promulgationem et
divulgationem fuerunt penitus mor
tifera huiusmodi [illegible] salutis
posuerunt quia absolvunt a vita christi
ut manifeste patet ad galatas 5. Si
circumcidimini christus vobis nichil prodest et
ibidem evacuati estis a christo qui
in lege iustificamini a gratia ex
cidistis. Medium tempus fuit a passione
christi usque ad promulgationem eorum
omnes gentes quidem potuit dici
medium tempus quantum partis eorum
et in hoc tempore sunt legalia ad sunt
deducta. Tercium est ab hoc usque
ad finem mundi in quo legalia
sunt quasi mortua clausa. Secundo
modo quod [illegible] dicta primo adhuc
servare sed per salutis [illegible]
honestate et proximi [illegible]
Dixit quod beatus augustinus quod tempore primo
sunt legalia servanda [illegible]
[illegible] salutis [illegible]
erat [illegible] promulgabatur
ut [illegible] dominus dixit [illegible]
[illegible] tamen [illegible]

Medio [illegible] tercio iam
tempore et baptismus christi [illegible]
qui [illegible] salvari et primo
baptizaretur et eorum. Secundo est tempore
[illegible] audierunt eorum potuerunt
observare [illegible] honestate quia [illegible]
more deducenda erat [illegible]
ad tumulum non [illegible]
abiciendi statim et [illegible] tempore
servare potuerunt [illegible]
proximi ne iudei a fide [illegible]
Tercio tempore non sunt servanda et ita dicit
augustinus quod petrus et paulus [illegible]
servavit non solum [illegible]
[illegible] christi [illegible]
[illegible] impendendi et [illegible]
tamen placatione [illegible]
[illegible] Sic dicitur quod petrus non [illegible]
[illegible] sit reprehensus a
paulo non quia legalia servabat
sed quia [illegible] gentiles iudaizare
cogebat et [illegible] augustinus
fuit [illegible] placatione
servatione [illegible] scandalum proximi
licet reliqua [illegible]
[illegible] licet [illegible] debe
ret [illegible] paulus tamen placatione re
prehendit petrum [illegible] dicit
[illegible] ad galatas 2. [illegible]
[illegible] cephas [illegible]
[illegible] restiti quia reprehensibilis
erat [illegible] quam veniret [illegible]
[illegible] gentibus edebat cum
[illegible] subtrahebat et segrega
bat se timens eos qui ex circumcisione
[illegible] et placationi eius [illegible]
[illegible] ita ut et barnabas
duceretur ab eis in illam placationem
sed cum vidissem quod non recte am
bularet ad veritatem dixi cephe coram
[illegible] iudeus [illegible]

vivis et non iudayce quomodo
[illegible] iudaizare [illegible] dixit quod
non ambulabat [illegible]
et quod reprehensibilis erat [illegible]
audeat dicere quod paulus [illegible]
[illegible] scribit
et [illegible] augustinus
egregius doctor [illegible]
addidit [illegible]
[illegible] paulus ad
[illegible] Et dicit [illegible] addidit
illud ad addendum et corrigendum
[illegible]
[illegible] adherent doctores et
[illegible] hugo de sancto victore
Et dicit [illegible] quod petrus et paulus
idem [illegible] Et tamen
petrus iuste reprehensus est et reprehen
sibilis erat non quia servando lega
lia malefaciret sed quia [illegible]
[illegible] Et ita defectus
[illegible] fuit [illegible] aliqua
culpa ut credo. Sic dicit [illegible]
[illegible] et [illegible]
[illegible] ut petrus
reprehensus non resistit ut [illegible]
[illegible] apparet in petro [illegible]
[illegible] actu [illegible]
[illegible] reprehensibilis erat [illegible]
reprehendendi et [illegible]
[illegible] non [illegible]
[illegible] usque [illegible]
[illegible] et paulus [illegible]
et [illegible] eum reprehendit etc.

Quarto de [illegible] legalium
et [illegible] eorum est ad
dubium de baptismo iohannis qui
est [illegible] non se [illegible]
baptismus baptismo iohannis fuit rebaptizandus
quia actus 19 dicitur quod paulus rebaptizavit

2^a q

Que apostoli servabant legalia

bap^tus a iohe bap^mo iohis
igit^r rebap^di fuit Si dicis q^d
ideo rebap^t q^r no habebat fi
dem trinit^s Contra q^r suppleta
fide no fuissent rebap^di sz
oni i^mposuit i^mpositio^e quam bap
tizaret igit^r n^oo debuit bap^ri
Et aug^us assignat dram inter
bap^mum iohis et bap^mum xpi
d^c quos baptizat iudas no s^t
rebap^di et quos bapti^t ioh s^t
rebap^di ergo gra^r aqua erat
rebap^di Qz no. cu^r q^r actuu^m
9° d^r q^d samaritani fuerant
a philippo bapti^i ne^c igi^r bap^mo
xpi et h^o no q^r bap^mu^s xpi
dat sp^m scu^m sz d^r i texte
no du^m i q^uemq^m eorum venerat
s^s s^s Si bap^mo iohis et i^mo
fuerant rebapti s^t tm p petrum
et iohem fuerat eis manu^s im
posite q^r cu^m aqua sit rebap^di
igit^r etc Notandum q^d iohs bapta
precursor dni an xpm bapti
zauit i nomine venturi sz xpi
dni qui licz in carne venerat
no tn adhuc manifestatus fuit
i^r bap^t i nomine venturi de ve
tero Sedo notandum q^d bap^mi
ioh deus fuit pricipalr institutor
sz ioh^s fuit administrator ple
narius q^r nul^m u^o bap^mo fa
ciebat q^d p alium no faciebat
et administrabat q^r tn extin
lavabat Sz fuit et xpus pricipaliter
administrator q^r deus pricipali^r
instituit et ei officium amistrandi
commisit ut nu^s baptizaret bap^mo
suo ipse ut ei auctor d^r et tm
et q^d denotat a iohe et ressiant
ressponte a iohe Sz in bap^o xpi

aliter alter homo erat aministrator ple
narius q^r s^t erat auctor regnat^o
q^d potius fit a deo aliter et alius ho
fuit pricipalis aministrator xpus
q^r instituit bap^mum suum no p
aliquem alium hominem sz p se ipsum
aliter et commisit aucte^m suam ut
alii eius aucte^m baptizarent i^r
no denotat^r bap^mu^s xpi ab ali
quo alio sz petro etc sz a xpo
Tercio notandum q^d bap^mus iohis fuit
institutus ad p^rfigurandum bap^ma
xpi sic d^t m^r q^d fuit sacrament^i
signum q^r signabat bap^mum xpi et
tu^c illius erat q^d omnino sacra^m
fuit et institutum ad se referendum
ad bap^mum xpi Unde m^t 3° Ego
baptizo in aqua u^r sed tn tali
lavo q^r peccata solu^e nescio ut
sed respondeo sebrando peccata s^t
bap^do ad xpi bap^ma disposa et
tractum ad hac no e sacra^m sed
sacrtale sic tornamentu^m no est
bellum sz ad bellum p^rparatorium ad
bellum bap^mus aut xpi e nomen
sacra^m q^d omnis aes sufficit et
e pm sacra^m et ne homines inha
biles invenirent omnia prebe
aliqd cosule Quarto notandum
duo sunt apostoli una e q^d bapti
bap^mo iohis s^t no habuerant fide
trinit^s rebap^di erant Si autem ha
buerant fidem trinit^s no omnes
eos rebap^ri s^t sufficiebat q^d eis manus
imponerent illi q^d habuerant
ablucionem exteriorem et habebant
fidem trinit^s sz ai signabat^r q^d
karactrem habebant et
sp^m scm p i^mpositionem ma
nuum et illi ho^ies no erant rebap^di

bap^s ioh

q^d sa addit

et p̄pter hoc samaritorum de
quibus habetur actuum 8^uo non
fuerunt bapti. Et isti de quibus
habetur actuum 19 fuerunt rebapti. quia
non habuerunt fidem trinitatis
completam. Unde cum paulus
d. si spiritum sanctum accepistis credentes
responderunt sed neque si spiritus
sanctus est audivimus. Dicit ergo isti
de ista opinione quod tunc plus va-
lebat cum posito nomine quod
omnis confirmacio quia conferebat eius
baptismum. Plenius hinc alterius opinio-
nis fuit magister. Alia autem est opinio
communis doctorum quod tamen baptizati bap-
tismo Johannis fuerunt rebaptizandi quia eius baptis-
mo debuit omnes cultum gracie
sicut dictum est tamen assuefaci-
ebat et dirigebat ad baptismum
Christi. Unde quod dixit ego baptizo
in aqua ille baptizabit vos spiritu
sancto. Sed cum sententia assueta
est ideo quod non fuerit sententia
fuisset bapti. baptismo Johannis
si eos non baptizarent baptismo
Christi. Item cum posito nomine
habuit locum sacramentum confirmacionis
set sacramentum confirmacionis propter
sacramentum baptismi et aliorum non cog-
noscitur si non dicitur Hezent plenum
sacramentum baptismi. Unde suplebat con-
firmacio per manus imposicionem.
Item magister super Johannem contra
contra dicit quod baptizati fuerunt baptizati
Johannis non eis suffecerit baptismo grati-
am baptismi. Sed item beda ad hoc
Johannes baptizabat ut ad baptismum
Christi dirigeret. Et ad actum om-
nium dicitur quod samaritani bapti-
zati erant a philippo baptismo Christi

sed venit Christo. Et quod dicitur non rece-
perunt spiritum sanctum intelligitur quia non
erat philippus apostolus sed discipulus
igitur baptizare potuit et predicare sed
non manus imponere ad dandum spiritum
sanctum sicut dicitur. Unde in glossa actuum 8^uo
super illud cum audissent ad illos petrum
et Johannem philippus qui samarie
ewangelizabat unus de 70 erat
Sed non apostolus et manus im-
ponere posset quod solus episcopus est. Et
ad auctoritates doctorum quod dicunt adducat
quod verba quod doctores non dicunt eorum
rebaptizatos sed non suffecisse fidei
in altera per naturam ut si inspicia[tur]
precedencia et sequencia

T
an omnis homo teneatur

Secundo dubitatur an omnis
omnis homo teneatur ad
baptismum Christi. Et cum modo dis-
tinguendo quod omnis homo non baptiza-
tur ad baptismum sed potest baptizari sicut dicit
de x baptismis et ex de presbitero non baptizato
capitulum et capitulo veniens. Unde hic potest
ex baptismo sicut fluminis flaminis et
sanguinis de consecratione d. x bapti. Commen-
tatur tamen potest baptismo flaminis et
sanguinis non potest esse baptismo fluminis
et plurimum latini inveniunt de ve-
nia de penitencia d. r. capitulo. Consequenter est
ad generale preceptum tenetur quilibet sue
legislatori sed preceptum de baptismo fuit
generale ut in iiii et in x de. Tercio
dico quod licet Christi baptismus fuit a-
homine tamen perfectione fuit in forte
quod convenerat Johannes hec gracia
in baptismo sicut paugen et beda
qui dicunt cum tempore fuisse expresse
preceptum docere filium in eadem spiritum
sanctum in tallabe specie. Unde potest dici
quod Christus fuit baptizatus inspice quadam
hic etiam si non vero in sacris dico

pe 1

2°

3° 3°

q(uod) beata virgo maria et omnes apostoli
fuerunt baptizati de apostolis hoc dicitur de
cons. di. iiii [illegible] de eis et per glosam
... quia si xp(istu)s voluit baptizari [illegible]
vi(detur) q(uod) nullum voluit ab hac lege
eximere. Confessio si aperta contra
preceptum originale sed [illegible]
aliquem eximere [illegible] per ipsum [illegible]
[illegible] condecet q(uod) ... a remedio
ordinato et ad culpe remissionem
et ad gratie collationem. Item baptismus
est ianua sacramentorum [illegible] gratia
et apostolus xp(ist)i formalis [illegible]
fuit ut ordinate [illegible]
[illegible] et [illegible] xp(ist)i [illegible] et
maxime si beata virgo [illegible]
[illegible] multo magis baptismi sacramentum

Circa 3am distinctionem [illegible]
[illegible] sacramentum baptismi ex
debita forma verborum et elementi
aque [illegible] primo quia [illegible]
[illegible] ablutio [illegible]
aliquid [illegible]
[illegible] et [illegible] baptismi
est forma dicta et [illegible]
[illegible] dicitur
[illegible] ablutio [illegible]
[illegible] baptismi [illegible]
[illegible] de forma [illegible]
[illegible] xp(istu)s formaliter sacramenti tradidit
[illegible] baptizantes
eos in nomine patris et filii et spiritus sancti [illegible]
[illegible] fuit
[illegible] baptismi
[illegible] lavare et baptismus
[illegible] et [illegible]
[illegible] q(uod) baptismus est aqua ab-
luendi [illegible] apta [illegible]
[illegible] remotis
remotio baptismi [illegible] aqua
et finaliter [illegible] abluendi [illegible]
apta et forma baptismi [illegible]

dei sanctificata [illegible] accipit
baptismus [illegible] seu ablutione
[illegible] utroque tamen modo dicitur sacramentum
quia [illegible] actu lavat
seu abluens [illegible] sacre rei
[illegible] aqua enim abluens [illegible]
[illegible] et ablutio [illegible]
[illegible] ratio baptismi
[illegible] ablutione [illegible]
dico [illegible] ablutio [illegible] actualiter
[illegible] differentias [illegible]
aqua elementum [illegible] debita
[illegible] adhuc ordinata [illegible]
[illegible] sacramenti
[illegible] efficax [illegible]
ablutionem [illegible] dicitur
actu abluens [illegible]
sacramenti [illegible]
effectus gratuitus [illegible]
[illegible] aqua
cum baptismus [illegible]
[illegible] actu abluit [illegible]
dicitur [illegible] baptismus et [illegible] sacramentum
[illegible] actu abluit [illegible] potissime
[illegible] de baptismo [illegible] et
de aliis sacramentis [illegible]
[illegible] baptismi
[illegible] elementum [illegible]
sacramentum dicitur [illegible]
est sacramentum [illegible]
[illegible] qui est lavans aqua [illegible] la-
vans est sacramentum et ratio [illegible]
[illegible] aqua [illegible]
aqua elementaris [illegible] actu
[illegible] differentias abluit [illegible]
et adhuc [illegible] ita [illegible] sacramento
[illegible] altero non effert
Non [illegible] aqua est sacramentum [illegible]
quando abluit et ablutio non est
aqua Secundo notandum q(uod) ablutio
[illegible] ut distinguit glosator

et includit [illegible] producta
[illegible] aqua [illegible]
[illegible] ab aqua [illegible]
[illegible] aliud est [illegible]
[illegible] ab aqua [illegible]
agente [illegible]
[illegible] ab aqua [illegible]
ab aqua [illegible]
[illegible] ablutio [illegible] ab
alio effective et [illegible] dicitur baptismus
et sacramentum [illegible] institutum
[illegible] ante [illegible]
[illegible] sacramentum ab alio [illegible]
[illegible] ablutio [illegible]
baptismus est ablutio [illegible]
[illegible] baptismi [illegible]
[illegible]
[illegible] et [illegible] baptismi [illegible]
[illegible] respicit [illegible]
[illegible] q(uod) baptismus non est [illegible] ab-
lutio [illegible]
ab aqua [illegible] baptismus
[illegible] ablutio [illegible]
[illegible] forma verborum
[illegible] baptismi [illegible]
dicto [illegible] et [illegible]
[illegible] et [illegible]
[illegible] elementali. Tertio notandum
q(uod) [illegible] et forma [illegible]
[illegible] acceptione
[illegible]
[illegible] et [illegible] et
[illegible]
[illegible] alias
[illegible] in baptismo [illegible]
[illegible] forma [illegible]
[illegible]
[illegible] aug(ustinus)
[illegible]
[illegible] principaliter [illegible]

et [illegible] ad ele-
mentum et fit sacramentum [illegible]
[illegible] dicuntur [illegible]
et alie [illegible] dicuntur [illegible]
Secundo notandum q(uod) in sacramentis [illegible] est
aliud [illegible] sacramenti [illegible]
[illegible] sacramentum [illegible]
[illegible] aliquid [illegible]
[illegible] dispensando sa-
cramenta [illegible] Que
de forma baptismi [illegible]
[illegible] forma ego baptizo te in nomine
patris et filii et spiritus sancti est debita
forma baptismi et [illegible]
tota romana ecclesia aquo [illegible]
[illegible] competit [illegible] baptizare
[illegible] quia [illegible]
ecclesia [illegible]
[illegible] composuit
[illegible] forma [illegible]
Ex de baptismo et eius effectu et
[illegible] competit baptizare
[illegible] ignorantia [illegible] tenet
[illegible]
[illegible] deputat. [illegible]
ecclesia romana [illegible]
ecclesia greca [illegible]
[illegible]
[illegible] et [illegible]
et [illegible]
[illegible] dico [illegible]
[illegible]
[illegible] baptismus [illegible]
[illegible] paulus dicit
[illegible] fuit [illegible]
[illegible] tollendo
[illegible]
[illegible]
[illegible] auctor baptismi
sed tamen [illegible]

effectu baptismi conferri adeo hec forma quam dominus tollerata fuit a sancta romana licet fuit eis et ex tempore quo fuit instituta fuit totis durare ea predicta scilicet durare ea tota[?] potuit forte quia eis fuisse exposita et si circa tenorem ipsius que inscripta fuit etiam gressit et rebelli [illegible] sunt ista formam ut licet videatur eis prestam forte forma[?] et si [illegible] omissione seu [illegible] facte ingruit [illegible] particularibus ordinacionibus omnia per illam formam [illegible] ut quod [illegible] cum sacra cedunt et tenent [illegible] formam prescripte prius [illegible] circa tenorem quod aduli fiat [illegible] conceptio deliruli [illegible] desfant [illegible] dimissione [illegible] sunt fauentes et [illegible] decenter [illegible] recepti [illegible] formam more illius ecclesie. Secundo dicto predicta forte quo est anno quo adeo ista [illegible] nomine scilicet ad efficaciam sacramenti hoc patet primo de forte quo nomine baptizant ut dictum est et tamen non sub forte prescripta. Et quod ipsi baptizant patet ex decreto capitulo licet videatur quod ait greci [illegible] latinos vel latini apud grecos [illegible] rebaptizandi. Consequenter [illegible] forma sic [illegible] pertinet ad eam [illegible] exprimunt [illegible] actum et suscipientem [illegible] non est [illegible] [illegible] alio non exprimi [illegible] persone [illegible] vult nam dicere baptizo eos in nomine patris et filii et spiritus sancti. Alia autem [illegible] actum et suscipientem [illegible] exprimi quod patet cum forte baptizandi [illegible] dicta includit expressionem istam [illegible]

[illegible] patet quia [illegible] vult dicere baptizatos [illegible] exprimit actum baptismi et subdit eos per quod exprimit personam baptizandi. Et ideo quod dicitur [illegible] baptismo et eius effectu. Si quis [illegible] in aqua immisit in nomine patris et filii et spiritus sancti et non dixit ego baptizo te in nomine patris et filii et spiritus sancti [illegible] puer baptizatus. Sic ergo [illegible] forte [illegible] debent exprimi [illegible] forma actum baptismi et suscipientem [illegible] exprimi debet et [illegible] quo exprimunt [illegible] fuat circa tenorem quod patet [illegible] ad efficaciam sacramenti quod exprimunt actum [illegible] et suscipientem [illegible] ut ipsi [illegible] et predictum [illegible] predicta [illegible] exprimendi [illegible] scilicet ego baptizo te [illegible] decenter forte [illegible] baptismi [illegible] ad baptizandum [illegible] peccat si formam [illegible] ecclesie [illegible] subest [illegible] et grauiter [illegible] puniendus. Nota [illegible] baptizat baptizet [illegible] in nomine patris et filii et spiritus sancti. Tertia conclusio [illegible] predicte forme que sub nomine personalia [illegible] et [illegible] sit [illegible] spectant ad formam baptismi quod Christus [illegible] instituere [illegible] recepit [illegible] formam baptismi hoc [illegible] instituit [illegible] patet [illegible] dicere [illegible] docete [illegible] eos in nomine patris et filii et spiritus sancti [illegible] redemptoris [illegible] habet [illegible] non [illegible] sub [illegible]. Conclusio autem zacharie [illegible] firmiter [illegible]

est [illegible] modo angelorum ut [illegible] [illegible] sunt [illegible] scilicet [illegible] [illegible] quod [illegible] spectant ad formam baptizandi [illegible] quod invocatio [illegible] requirit [illegible] non [illegible] forma [illegible] alia forma instituta [illegible] instituta est a Christo [illegible] quod non sufficit [illegible] et filii et spiritus sancti. Sed [illegible] expressio [illegible] Christus [illegible] non et [illegible] efficacie [illegible] quod non baptisma [illegible] detrahere [illegible] et quod est aqua [illegible] aqua [illegible] [illegible] exprimi [illegible] facta fidei professio [illegible] facto et non [illegible] [illegible] facta est [illegible] [illegible] et [illegible] [illegible] ideo [illegible] instituit [illegible] [illegible] quod sufficiat dicere in nomine trinitatis quod [illegible] tres personas [illegible] non [illegible] expli[illegible] personarum [illegible] personalium [illegible] patris et filii et spiritus sancti. Secundo [illegible] circa apostoli baptizabant in nomine Christi [illegible] quod sufficiat alteram personam exprimere [illegible] beatus ambrosius in libro de [illegible] ut habetur [illegible] [illegible] [illegible] fide [illegible] [illegible] [illegible] [illegible] quod Christus [illegible] personas tradendo formam baptismi [illegible] et intellexit per alios explicandas

[illegible] aut nomine trinitatis [illegible] [illegible] [illegible] primo quod apostoli baptizabant [illegible] in nomine Christi ut habetur actuum [illegible] et hoc fuit [illegible] expressa auctoritate apostolorum [illegible] ex divina dispensatione [illegible] ipsi [illegible] [illegible] et fuit [illegible] divina [illegible] Christus [illegible] [illegible] divinas [illegible] correspondentia effectus [illegible] hoc [illegible] Christus [illegible] [illegible] [illegible] [illegible] patet [illegible] [illegible] et dat [illegible] [illegible] [illegible] et spiritus sancti [illegible] [illegible] [illegible] [illegible] fuit [illegible] et [illegible] ut [illegible] [illegible] [illegible] et publicaret [illegible] haberet [illegible] apostoli [illegible] ex dispensatione divina. Secundo dico quod [illegible] nunc [illegible] baptizaret [illegible] peccaret patet quia legem superiorem [illegible] per [illegible] [illegible] ad [illegible] scilicet lex de baptismo [illegible] forma [illegible] in nomine patris et filii et spiritus sancti promulgata fuit a Christo [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] scilicet licet [illegible] [illegible] [illegible] lege [illegible] [illegible] [illegible] [illegible] [illegible] ut divulgaret nomen Christi ut dictum est [illegible] [illegible] [illegible] dispensavit [illegible] [illegible] [illegible] [illegible] [illegible] ipsa [illegible] absolute. Secundo [illegible] quod [illegible] grauiter peccaret [illegible] sic baptizans in nomine Christi [illegible] baptizaret [illegible]

ipse esset re baptizatus. Respondeo dicendum quod beata
ille sit sanctus non baptizabantur
in sancta trinitate sed actu erat baptizatus
per rem baptismi quia rem sit causa
fidei credentia et i. si per confessionem
ta dicit forma baptismi et ideo
ecclesia tota baptizat in nomine patris et fi
trinitatis explicite quam forma gest
tradita semper manavit formam
conforme auditorem paliquo tempore fuit
aliqua dispensatio sed forma dispe
satione tradita non fuit tradita
cum ipse quando fuit eo dispe
sicut in ecclesia primitiva ut nomen christi
divulgaretur et io tempore dispensatio
cessante sola forma manet quae fuit
forma communis. Item dicit [illegible]
quod non audeat dicere quod baptizatus
hoc in nomine christi esset baptizatus sed non
audeat dicere quod non est baptizatus quod
ut dicit non legi quod illa dispensatio
fuit revocata. Secundo dicit quod inhonora
tum reputet dominus omnes illos baptizatos
sit dicit ego etc. ipsum ille reme
dium est in dubio. Sed in aliis dubiis
de quo ad de baptismo et eius effectu
de quibus dubium est an baptizati sunt
baptizentur. Exemplum ipsius: Si baptizatus
es non te baptizo, si non baptizatus
es ego te baptizo in nomine patris etc.
Et subdit statim quod in aliis du
biis circa quantum ad materiam et for
mam sunt tres maxime quorum prima si
prius adest certa tutissima est
eligenda. Secundo si non adest prius
certa proxima tutissime est tenenda.
Tertia cessante omnibus tutius est
supplendum quod omnibus conformabit
Tertium circa dicit beata quod cum
ambrosius exponendo ut factum
fidei ponat impia fides est

plenum est factum fidei cum ipsa fides
est status perfectus ut quo ad baptismum
est plenum fidei factum cum ipse bap
tizans plenam habet fidem. Et si
defectus omnis te habet longinqui
tatem sed cum puer defecit univer
sitas sacerdotum velit credendum est
quod divina omnia et primum sacerdos
non dimittat omnem effectum quod in
tentatum est etc.

Sed est dubium de hiis verbis
praedictis et sub in nomine patris
et filii et spiritus sancti cum sit
de forma primitiva ad formam etc.
quod non liceat aliquo mutare
Et quia non quod istos declaravi
quod per omnibus casibus [illegible] modis
contingunt mutationes substantia
[illegible] et aliter et ubi sit [illegible] quod
circa una baptismi per mutationem
sex modis. Primo secundum substantiam
sed quod ista una ut alia ut aliqua
dimittantur et alia ponantur etc.
contingit duobus. Primo quod mutatur
[illegible] et modo fundi sit quod ista
una [illegible] de latinis
[illegible] ut in [illegible] ydioma
[illegible] et tunc non fiet mutatio
circa baptismum vel aliquod compe
ditum circa factum quod [illegible]
[illegible] tradita
et alia de ista forma et
[illegible] baptismus quod tunc non mutatur
forma [illegible]
[illegible] et sic [illegible]
ydioma [illegible] est baptismus
[illegible] circa mutaret omnia
Aliud modo prope mutata ut si
quis baptizaret in nomine domini et
[illegible] ut mutato nomine ut
si quis baptizaret in nomine genitoris

geniti et procedentis ab utroque non
est baptismus et hoc est mutatio [illegible]
[illegible] personarum
per denuntiationem in verbis actualis
personarum [illegible]
est [illegible]. Dicit sic [illegible]
[illegible] in idem sicut [illegible]
omnibus patris et filii et spiritus sancti quia licet
[illegible] non tamen [illegible]
[illegible] naturales
[illegible] personas et sub
[illegible] et substantiis omnibus
[illegible] personas [illegible]
[illegible] et eisdem virtute [illegible]
[illegible] et [illegible]
[illegible] et theologi [illegible]
[illegible] dicit quod si baptizat
in nomine genitoris et geniti et
sancti flaminis vere baptizat quia
non refert [illegible]
[illegible] idem dicat non recte est
quod prima et secunda [illegible]
pater et genitor filii et genitus
[illegible] Luthu quia id tenet
[illegible]
non per [illegible] mutatam [illegible]
[illegible] addendo et aliud sub
trahendo vel aliquid subtrahendo
et aliud addendo ut reponendo
[illegible] id
additum [illegible]
non [illegible] existente
ut si sacerdos dicat ego te baptizo
in [illegible] nomine patris etc. vel aliquid
[illegible] distrahens vel dimi
[illegible]
personarum [illegible]
in nomine patris [illegible] et filii [illegible] et
spiritus sancti et si additum esset [illegible]
[illegible] additum [illegible]
in nomine patris geniti [illegible]
illud additum non fit diminuitur

[illegible] distrahens vel [illegible] quod addit in
tendit novam formam inducere
credens formam hactenus observa
tam non sufficere et [illegible]
[illegible] semper tollitur baptismus [illegible]
Si autem additum non distrahit
[illegible] et baptizans
[illegible] simplicitate ponit et de
[illegible] non tollitur baptismus [illegible]
et [illegible] ut si diceret ego baptizo
te in nomine patris omnipotentis. Si di
ceret ego baptizo te in nomine patris et
filii et spiritus sancti et [illegible]
Si autem subtrahit aliquid [illegible]
[illegible] vel subtrahit aliquid
de omnia requisita ad formam
baptismi vel non [illegible] requisita
[illegible] non est baptismus [illegible]
[illegible] subtrahit [illegible]
quod si subtractio patris vel filii vel spiritus sancti
non est voluntaria ut quia baptizans
[illegible] ut quia baptizans [illegible]
[illegible] per alterius locum
Tunc dicunt multi doctores quod vere
est baptismus non obstante dicta
[illegible] Luthu ad [illegible] est
quod [illegible]
te baptizo quod teneat [illegible]
[illegible] de baptismo
et eius effectu. Alibi dicit quod de quibus
dubium est an baptizati sunt bapti
zentur. Exemplum ipsius: Si baptizatus es non
te baptizo, si non baptizatus es ego
te baptizo in nomine patris et filii et spiritus sancti. Item
per [illegible] mutatio [illegible]
puta [illegible] vel proferendo
vel [illegible] vel [illegible]
et [illegible] voluntarie [illegible]
[illegible] et [illegible] non
tenet formam [illegible]

vel si videtur intendere quod etiam intendit et precipit non baptizat. Vel hoc sit ex ignorantia aut impotentia et sic adhuc est duplex casus: quia non tantum est corruptio vocis et mutatio quia mane adhuc secundum totum esse est nomen sacramenti. Et P'er debent ab eis qui per lingue impeditionem balbutiendo verba recipiunt tamen quantum possunt et timent ad perfectionem et integre proferendum, ne contingat eos sic sacramentum negligentie arguere et peccatum. Si autem tanta est corruptio non tamen aut mutatio quod destruat totum quod est integra si debet dici per et dicit pria [illegible] ut tunc vel est tanta corruptio quod non solum mutatur secundum quantum ad pronunciationem secundum se quantum ad usum accommodatum et tunc non est verum baptismum. Est dato quod mutetur secundum quantum ad modum pronunciationem tamen quantum ad usum accommodationem sive quod communiter intendit id est loquitur plerumque tamen eundem alios illiteratos loqui lingue et tamen bene proprie possunt dici et quantum ad finem et in illo casu est verum baptismum quod patet per rationem recitatam de quo dicitur ubi dicitur de quodam sacerdote qui non erat peritus in latino et baptizabat volens per conformationem verbi quo ad grammaticam baptizat in nomine patria et filia et spiritus sancta. Et patet quod si fecit hoc ex imperitia lingue vel latine non intendens aliquem errorem inducere non sunt rebaptizandi quos baptizat. Secundo quantum ad tertio ut contingit mutari ad instar [illegible] lavat. Et hoc dupliciter contingit: per transpositiones dictionum et per interpositiones. Primo modo sacramentum perficitur dummodo ex talibus

ta materia utrum intendat illud esse formam proferendo volens per hac novum modum inducere tunc constat quod non intendit perficere formam quam ecclesia utitur et per consequens non baptizat videlicet ex simpliciter et hoc duplex vel quia talis transpositio mutat sensum verborum ut puta si dicat et patris baptizo te in nomine filii et spiritus sancti et tunc non est verum baptismum. Si autem ex transpositione non mutatur sensus verborum tunc est verum baptismum ut si dicat ego te baptizo in nomine patris et filii et spiritus sancti vel ego te baptizo in nomine filii et patris et spiritus sancti, non tamen id per facta dogmatizatione mors non impedit sacramentum. Secundo est per consequens dictionis interpositionem quod si [illegible] quod filius a patre procedit et tamen omnis si expressit [illegible] forma [illegible]. Si autem fit interpositio ut si sacerdos immersio dicat ego baptizo in aqua est ut frigida in nomine patris et filii et spiritus sancti. Hac per sacramentum duplex causa aut fit ita longa interpositio quod secundum communem intentionem est forma distinguata (?) secundum humanum modum indicatur quod actio baptismi fit perfecta et distinguata vel non mora et continua quod positio tanta est quod distinguit intentionem tunc forma verba de recipi aliter non est verum baptisma. Si autem intervenerit parvula mora ut interpositiones vel in brevis interpositionis secundum ut per consequens tunc erit verum baptismum et non ora forma recipitur dumtaxat (?) [illegible] non fit constante ut ex certa materia. Et ergo dicit quod si interponatur mora comprehendens [illegible] et ut supponendo quod supposito ut obstinando non impeditur baptismus

quod est recipiendum de materia sacramenti est dicendo quod materia ablutio est materia propinqua baptismi et aqua elementaris sola est materia remota. Et dicitur ablutio materia propinqua quia ipsa est vere baptismus et sit in mente interiori locus [illegible] apto immersio vel per ablutionem [illegible] ut contractu capitis in aqua. Et aqua dicitur materia remota quia loco si [illegible] si debet esse baptismus et ideo aqua in ipsa locorum applicatur tota. Secunda questio. Et illa est quia constituit Christus aquam materia sacramenti huius virtute in omnibus patet quia Johannes 3o dicit nisi quis renatus fuerit ex aqua et spiritu sancto. Quare autem a Christo instituta sit ut fiat ablutio in aqua ad hoc sunt congruentie: quia aqua est natura frigida, mundificativa humida, [illegible] et [illegible] et hec proprietates debet convenienti humidi [illegible] baptismi et baptismum tradere primo est [illegible] qui effectus [illegible] frigiditate et ideo [illegible] recipiat aqua [illegible] calida ut maneat ipsa secundum sacramento baptismi ad administrationem [illegible] apto originali peccatorum [illegible] et [illegible] effectus [illegible] quia aqua [illegible] liquores [illegible] abluit et mundificat. Quarto est baptismum ad illustrandam mentem claritate fidei et hoc [illegible] proprietate aque que est lucida. Secundo [illegible] Christi est baptismum administrandum [illegible] et [illegible] Christus [illegible] aque que est communis [illegible] hominibus et brutis. Deinde [illegible] baptismi est [illegible] est [illegible]

[illegible] ad salutem quod [illegible] aque. Est ab illo sacramento non absolvitur [illegible] ipsum spiritum [illegible] et [illegible] est [illegible] et [illegible] habundant [illegible] et divites et [illegible] [illegible] sed possent. Et illo quod questio [illegible] de baptismo fluminis et sanguinis [illegible] de baptismo fluminis qui proprie dicitur sacramentum. Secunda questio [illegible] aqua [illegible] commixta et aqua dispositione [illegible] aliqualiter alterata est baptismi competens et vera materia. [illegible] aqua [illegible] commixta est [illegible] non aqua elementaris [illegible] materia [illegible] baptismi [illegible] quod [illegible] Thomas [illegible] 3 19 [illegible] est permixtio quod mutat et tollit speciem. [illegible] hoc fiat [illegible] liquores alterius [illegible] elementaris [illegible] ut per digestionem et resolutionem et [illegible] non per [illegible] baptismus. Alia vero non tollit speciem [illegible] et mutata [illegible] per [illegible] adhuc [illegible] lavandi. Et [illegible] est quia [illegible] est materia [illegible] quod [illegible] ipsa [illegible] non [illegible] de [illegible] ut dicitur [illegible] [illegible] [illegible] ad [illegible] et [illegible] [illegible] ad [illegible] tanto materia [illegible] committitur [illegible] [illegible] sunt. Tertia questio. Aqua artificialis ut aqua [illegible] est [illegible] materia et [illegible] baptismi. [illegible] quia aque que dicuntur artificiales non sunt aque elementares [illegible]

questio prima

quod sit ablutio aqua

2a questio

xia [illegible]

3a questio

ideo non fuit qua cum baptismi tertia
experimenta ... que sunt
corpora mixta ... dicunt aquam
... exterior ... artificiales
artificiales ... sicut ...
pressis fuerit ... permedia ...
et ordinata ad aque ...
non fuit aqua ... elementaris
... aque ... fuit ut
fuit tamen partem ignis deco/
quentis et resolvet ... aut
non est ... actiua ad quo/
rendum ... mixta in aquam
elementare ... possibi/
lia ordinatis ad aque elementaris
... et frigido
et humido ... hoc de quo
... totam ... aquas
artificiales ... mixta
... naturales ... sunt
aquam elementarem ... ex quo sequitur
quod ... magis ... artificiali ...
baptizare ... qui attemptat ...
facere quod ad baptismum requiritur ele/
mentaris aqua ... aut ar/
tificiales ... et ad/
plenius ... baptisma
de aqua mixta vel impura
... impuritas ... in/
telligi ... ...
... ut aqua lutosa ...
dicitur impura ... alteratio
... ad alteram ... mutate
ut dispositione que ad ...
res ... sunt ... mixta
non dicitur pura aqua ...
non prohibet quin ... aqua possit
fieri baptismus ... ipsa impuritas
non excludit ab aqua ...
veniens ad lavandum ...
... baptismate aqua ...

tatem lavandi ... constituta
et ... aqua ... forme//
... ut ... spongie quam
... ibi est ut ... lutosissime
... corpore ... corpori hominis ...
non fuit ... aqua ... baptismi/
tismi quod ... non est ...
... aque ... libe/
... ut ... sint
... corpori ... Sed
... aqua ...
... aqua ... suam speciem sic
forte ... tendendo ad ...
... sui et ... elemen/
ti ... et ... impuritas non
prohibet ... ita aqua ... sit apta
ad baptismum ... sit fluida
quod ... dico quod congelatio/
ne et grandine ... fuit
... aque ... admix/
tione et ... fuit
non potest fieri baptismus ... non
est ... fuit ... aut
... alteratam ... species
... non est ... baptizandi et
de quibus ... alterationibus est satis
manifestum quod constituunt altera/
tum ... speciem aque ... dicitur//
... resolutis ... digestione
ut salina ... de aliis
aut non est ita manifestum ... puta
de ... et admixtionibus ... in quibus
non apparet evidenter quod sit species
alterata ... de ...
... et ... non ...
est manifestum quod ... aliquid actum ...
... aque speciem ... Ex hiis ...
... aliqua ... quod non
... ... est ... quod
baptismus fiat ...
... expedit ... manifestum sit

2m ...

impatta calore patet quod non est prepedi/
ente et impatit calor non abuitat/
substantia aque ... Secundum ... ma/
ris salsa potest fieri baptismus patet quod
est substantialis aqua et apta ad
lavandum ... Tertium baptismus potest fieri
in aquis sulphureis sicut sunt
balnea ... dicta ...
... ille aqua non fuit ex
... elementaris aque
... ...
... ... baptismus potest
fieri ... patet quod ...
... aqua ... calo/
rata ... quod ... plumi/
ali et in aqua resoluta ex
... grandine glaciei potest
fieri baptismus patet quod ...
... in aqua ...
... et in aqua potest aqua
... unde ... ut de
... descendentibus de alpibus
... est quod ... potest fieri baptismus
non est ... in ... decoctio ...
... aqua ...
aliam speciem ... est aliud alte/
rans ... ... longius
ut de ...
... dicunt ...
quod ... non potest fieri baptismus quod
potest ... fieri in aqua ... ita
... dicunt sunt
... et ...
... aque ... aliam speciem ...
... non sit manifestum
... ...
... mixtum
sunt ... in alia ...
et ... ad ... na/
... alteratio ...
... aqua et ... de ali/
quibus ...

3m ...

fuerit baptismus ... ibi
... impre/
denti ... de forma baptismi
... ...
de quibus probabilis dubitatio ... ma
quod ... baptisma non potest fieri in aqua
artificiali ut dictum fuit ... a
... potest ... fieri in sudore
... vel aliquo illorum
quod ... non fuit aqua ... ma
... baptismus potest fieri in aqua fluente
in arena et ... deficiente
tamen potest fieri in arena sola ...
... fluente sic est in aliquibus
terris ... ut ...
fluxus arene ... apparuit
... Iacobus de alta villa
quod quidam ... fuerat in arena
baptizatus que ... suffi/
... exclamaverit ... rebaptizari
et ... de novo ...
... patet primo ... quod ...
aqua est ... cum ... habeat
arenam ... Secunda potest
... quod arena non est aqua et so/
la aqua est ... baptismi ...
... posse inferri de ...
grandine et glacie ... est
... quod ... non potest fieri baptismus
quam ... non fuit resoluta ...
... lavandum Contra
aliqua dicta ... Ex latere ... pen/
dentis ... fluxit aqua in qua
... est baptisma ... ex decla/
ratione ... id quod ibi
fluxit non fuit aqua elementaris
... quod ... non
... est aliquis humor ...
sit aqua elementaris ...
... aliquis humorem
qui ... sunt ... Sed

tunc ne erat ibi aqua puza
Itm si aq eet an bapm hocanax
eet pr rpus gnitate er hui pt
ab qibz sz diuitibz et paupibz
sz ra ca cio suff er nd aez gnoz
sit et gna eet anags gna am
bapm dd pmd fit gmorenq
r aquad q ipa aqua q plux
delatz saluatoris cio plux flen
sz fuit ceca aqua qd pbat ex
ae ewte et qui cidet teston
phibuit ceccitati pfcto no aq
s flen dixisset Si cio fuisset
aq sed flamma et apo
pritaz bapm et aicho aiq
eius zeligionis factu fuisset
ostensio nd pfcto bapm no
zegenem influctez Sed maq
pbat eis p aquam cuiscendas
facto altaris sz euk pbat eis
esignad q dehor pressitone
te qu magos pmisit supplice
et exca no flamma sz aqua
mauit et adpbatos pta q
ut ita aqua fuit l denouo
ceata mundan ut dd pone
tisq resoluta Sed dr gredo
q illa e transfigd ceus supi
aius fet qm dr ego cer cetan
bapm cregat illud qz liza ex
sit gnim et stulto posset ha
abaliq Non tu sz gremus reia
q gremius aque eadem effectu
bapm non n ablut etnid o
elemcd res ptens tactu et ita
seup te pt aqua i gremens
aiaq cinstituto e Tanda qo
adiite gstendis bap nd oz
pt ablucem ee aiaq et for
ae plaroem pa er dr aug
p gnez simlia do et po pma
qoe pma detrahe cuditam

adelemend et fit sacramd qo aut
creat au nd pt e et pmd so ep
institutio xpi hec dio institucio
tamq cima sequitio gpletud ad
sod effectud ita q mentud eet
segud fine abo Sed qs pstas
cesat dr Scots tanqham ep
pety pt ta detrahe q aq pse
aio e sebetud q qua gnuta e do
cuislima plare sor et hoc
e cama ex dr glosator sm ees
Itm q si maliq cinstati cuiq
sor tsiat et aq pt sacramd puer
aio eet aiaq sz paruo dmq dix
isset et sz schassit ead deay
aio eet bapty Sz cont id ar
q apti bap sono dicta
simlia ut het de acts bapti
zabant aspergendo pe et anos
alle cadur suat maliqbz et
tepyz et suad pt ce e gpuedo
et suad dr abi Trint ant
pr insinuite bapt senaz
cy pue debiles ut pcruditte
et timet ne puezn ledat ut
pr debilite et ipotenna dnati
ut pu si no eet totz matz ut
penuria elementi ut si pstano
suad deay et ad apti pt bap
aspergendo no pt ad ultima sillia
forme aspersend ita gludit
higit aqua bapt dd Itm ar
paris aplare attic subeqat
gtacta am et tepes quod ala
cue gurus predeutscisq ad ca
ruip ducett q os pucid est
aiaq etetud tpq plarois ud ed
sz ho aio ulz maiasste debapma
peasspercione quead mod apti
multitudine baptizenat Itm
si dicat eqo q gnectio on

cinstanti plarois nd ed adma
gs cecatq sacr queaw zenad
py acted bapd ar an gpletad
plareorn sit cont hoc et p
redone actud dbapma gea
spersione et et ut ita geq
dicat ptpq ut pmsas so
Si ptpq ta ita cio ptlmi
apit ee et desinit ee ut tu
spi dicat Si pruptas tin
tue nd pcos cio pt ipa ad ey
an gpletad ozoz ud et
aio pt dua adm q instans p
laroz nd pt ed successiua ad
q ipa certq pt prepositio p
cinstanti no ee plarof forte
tuo si puer eet Thuthma
ad gte ptpq plarosam eet
bapty et ut fuisset ibi deta
forma et debita ma dr go
Itm Scotus qo tis l zeript
ptas quat suaclsz huas
No lut er gsp nos obligare
eadem pllicte pllrite quad
aux posset homo pipe ut sz
uid Judicat eius ptas contex
Itm hois qm cucipt cuad an
quad finiuit aliud ethu in
dem sr pag fiat quad aliud
cucipt si eq Tria si quis dix
eat fuad ho ut ho fuz bax
Sed pud incipiet actud pud an
plarorn pud ego du tu cuud
aio fiat gplete ou incep
aliud dicet ie pt dyt ho et
fecit Et ita in ppo to dr Scoty
q pud fue dor phs i merget
aua imerpod ubi mars ep
terc caeage et pqa incipiat
aua nd za i meisone fuie
prius incipiat ma et dcto ego

baptizo te i mergat eudeis pe
gactilz pq ep pltas du tu p
fara no fiuat am inceptor
ablutes ut abluo cuincep
plarot Dubita qo ou mez
pro aiaquid et cunitas ut pltas
imerponu cio e decens bap
tisme Itm debu ee Ro
i mecsio ptz er pt Sed apfo
ut dctuz fuit cupad geluc
q ee gestid apti baptiza
uent mltitunes hoc Itm s
but cumpassione tbi lazazoy
q Long attulit cecead clq et
ipe non fuit i mersq ut po
tuit i mergi i l aio zesut
immersio Et aut aio cuuitat
ut cuitido et merstonad pt
cutit sact ptz p trimerpone
deceniis sact ut dctu e q
ut i mecsiond cunitas et pts
Et aliqute ectie suadonere
ipud q plud semel imergut
et aliqbz gsect cecee bap
alias ectia aio puuittat iqit
Alias aut i merpo cio pudenti
ptat ep tu decongruitate
pr ploem uni est cunitas et
tunitas er cusita simitate
cunitas taun et tu fuat p
euid i mecsione et e tunitas
i pfonis et ptra p tunidmerc
sione Itm plcuy mu gsepelum
xpo pdwas gt Sz paulus
e decens bapm stultaz
degongrutatz aq quocies mc
cmeagend Et Itm Sord ut
idem eut cnge cutzd q pt
uerdz e sm maze ectie 19
aiaq bapt et cui id degpad
aiac auutat petat Et ideo

adpm

ad zm

xta qo

3a qo

dr de cons d. 4 ex tribus applorum
Si quis presbiter aut eps non trina
immersione unius misterii celebrat
sed uni semel inmergat deponatur
Et hoc non est quod non baptizabat sed
quod contra auctoritatem nova introducat
Et de cons d. 4 ex tribus solitarie
dr propter vitandum scismata scandalum
vel heretici dogmatis usum pin//
plam teneamus baptismi trina im//
mersione et loquitur canon iste in ano
re ecclesie ... pelebat tamen semel
inmergi sed reperiunt heretici mu//
tare iis sacramentum procurantes et
viderentur heresi consentire predt
causam emendam Et Ciprianus declarat
quod semel tantum sit sed hoc ideo quia
alii per habebat ... ecclesie consuedo
ut quod unica immersione fieri
eandem asserebat Et non sit
trina immersio sed tamen non sit de
necessitate sacramenti ut dictum est Est secundum
Scotum in quarto d. 3 ... boreali
quod prima ... et in 2a pluit
et ... Et modus immerge//
ndi est ut sacerdos teneat puerum
... et facie versa ad aquam
... ita quod habeat caput
primo versus oriente 2o versus aq//
lone et 3o versus meridie Sed qui
hac ad solempnitatem pertinet non admittes
et si satis est dictum ... corporis
... sed caput vel pectus vel
caput tamen vel pectus tamen vel ...
... ibi ... et in
... ...
... dictum est de baptismum
institutione

Queritur quando christus baptismum in//
stituit sub hoc sacramento credit ...
quod debat sub ... opiniones
opiniones. Quidam enim quando dicit ipsi
dicendum quod institutio eius fuit quando
christus baptizatus est a Johanne in aqua
... ... contulit quod
... ... baptizat Et bona
dicunt quod dicitur baptismum sacramentum primo
... institutum 2o instituit
et 3o confirmavit institutum ...
... instituendo ... et facto
quando ut ... baptizaret ...
... et ... ... in aqua
... baptizantes ... dixit ...
Joh 3o Nisi quis renatus fuerit ex
aqua et spiritu sancto non potest intrare in regnum
... Sed secundum doctores non dixit
... ...
plus ... ...
Instituit autem in tempore ... discipulos
baptizare ... Joh 3o ... venit
... et discipuli eius in iudeam ...
et baptizabat Et ...
et ... baptizabat et
si ... ... in discipulis
... Secundum quod ipse no//
lebat et ... discipulos misit
ad predicandum et baptizandum ...
et ... et ...
Et ... ...
... ... ad baptismum
... et ... ... de latere ...
... ... sanguis sed et
aqua ... ...
Verbo autem confirmavit christus post
resurrectionem ... ad baptizandum ...
et ... ...
docete omnes gentes baptizantes eos
in nomine patris et filii et spiritus sancti Et
... ... quod baptismum fuit in//
stitutum ... quod ... non
institutio baptismum ... ...
sequitur quod ... passione ...
... baptismi ... ...

fuissent transgressores preceptorum
Hugo de sancto victore et allegat
... ... aliquis
... ... ignarus ...
... aut precepti ... ...
... ...
Sed autem dictum est ... ...
gentes baptizantes eos ...
... ...
... ...
... ...
... ...
quod ex aqua est ... et ...
... baptismum ... ...
... baptismum non ...
... ...
sit forma ... ...
baptismum ... ...
adhuc ... ...
... ... et ...
... ... ad baptismum ...
de immersione ad baptismum ...
institutione baptismi et ...
... ... et hoc ...
... ...
baptismi ...

Circa quartum ... queritur
utrum omnibus qui baptizantur
suscipiat ... sacramentum
baptismi et effectum quod non quod pueri
rite baptizantur et tamen non susci//
piunt effectum baptismi ...
quod effectus baptismi ... et ita
... ... sine fide ... ... fide
... ...
... ... baptismum ...
Secundo aliquis discernens vel
non consentiens baptizatur rite et
non suscipit effectum sacramenti ...
... ...
... carnale igitur ... spirituale
quod ibi non ... ...
... baptismo aut ... ...

... spirituale ... ...
deo igitur ... in baptismo fit
... ... abrenunciando sathane
et adherendo deo ... ...
... ... ut ... obligat ...
3o ... rite baptizat ita quod non
est rebaptizandus et tamen non suscipit
effectum baptismi ... ...
... ... secundum augustinum de baptismo
parvulorum ... baptismi
ad salutem ... ...
... ...
... ... peccatis ablucionem
non ... ...
ablucionem in baptismo et ... gratiam
que est effectus baptismi ...
... ... ut ...
... ... baptismi
et tamen non suscipit ... effectum sa//
cramenti ... ...
... ...
... ...
... ... baptismum
... ...
baptismo ... recipiat gratiam que est
effectus baptismi ... est primo
quod ... aliquis rite suscipit
sacramentum baptismi ...
... suscipit ... ...
... requirit ... non ... rebaptizari
Et ... ... rite suscipit ...
aliquid obmittitur ad sacramentum ...
... quod ... ... rebaptizari
Et ... ... quod aliquis suscipit
rite sacramentum quod non suscipit effectum
sacramenti ... ...
... rite ... ...
... ... rite baptizat et ...
hoc suscipit gratiam ... effectus
baptismi et ... tamen Secundo
est ... quod ... est effectus baptismi
Primus est ... ... seu karact

sacramentalis et sortitur iam tollit
sit vna res postrema ... [illegible]
ratione culpe et collacio gratie [illegible]
tunc fauentis et retrarum virtutum
Secundo notandum quod res sacramenti capitur
large pro eo quod confertur sibi ex
diuino pactu et ordinatione cum
conferatur baptismus ... sit gratia gratis
data siue gratum faciens. Alio modo
capitur dicta res sacramenti que aliis
hominibus suscipit qui rite baptizantur
vt infra. Alio modo capitur res sacramenti
dicitur gratia gratum faciens et alie
virtutes gratuite. Tertio quod est
doctorum quod in baptismo sunt tria
primum est signum tantum ... res
et signum, tertium est res tantum primum
est ablutio exterior vna cum certa
forma verborum. Tertio ista que est
res quod sit id quod ... sit signatum
aut sit ... [illegible] et ... [illegible]
... vt dictum fuit. Tertium est character.
Tertium est gratia et virtutes. Et nota
character dicitur sacramentum et res sacramenti
... gratia ... [illegible]
... [illegible] ... semper
et semper ... signum ... primum
Tertio notandum quod duo attendi possunt
... baptismi primo ... [illegible]
... et ex opere operato quod ... sequitur
ex diuino pactu et ordinatione
Alio modo ... effectu ... suscipientis
sacramenti ... [illegible]
... decens baptismi sacramenti vt
... baptismi vel ex bona dispositione
suscipientis. Et ... [illegible]
... suscipere primo modo
et ... est res tantum vt
est gratia gratum faciens et relique
virtutes infuse et ablutio peccati

et ... [illegible] ... sacramenti et
res operis operati. Et hoc est ...
res paruuli qui rite baptizantur
recipiunt ... et rem sacramenti
patet ... Augustini allegata
... [illegible] ... quod si ...
... baptismo rite moriuntur ...
actualem ... peruenient ad vi-
tam eternam vt fide tenemus
hoc autem non ... nisi ...
dimitteret ... culpa originalis
et illam ... statum ...
non dimittit nisi tradat gratiam
... liberat ...
que ad ... ordinat vt sit salus
regni. Patet ergo ista conclusione
... apud quos
... gratiam non dat sine fide
et paruuli non habent fidem et ...
hic quod offerentes paruulum non
credant. Respondetur quod ad ... paruulus
suscipiat rite baptismum recipit
fidem et non propriam sed alienam et
non requiritur fides ...
... baptismi. Et ...
illos non credere et paruulum ...
baptizari si ... et ... fidem
ecclesie (vide Augustinum) ad Bonifacium
... offerunt pueros ad percipiendam gratiam
non tantum ab eis quorum ...
... quamuis ...
... fideles sunt quam ...
... [illegible]
... [illegible] ... quibus
placet vt offerantur et quorum ...
et ... ad ...
... adiuuant. Sic ergo ...
baptismi ... paruuli in fide
ecclesie militantis et quamuis ...
desint ... [illegible]

... gratia defuit ...
... Sicut ... [illegible]
... petri ...
petri per ...
sit ... semper saluat ...
... fide et ...
fidelium ... diuina prouidentia
... [illegible]
... semper ...
... qui deo placet ...
... de baptismo paruu-
lorum. Secunda de adultis non
consentientibus neque ...
sit secunda conclusio ... adultus
... et ...
... sit in ...
baptismi est et recipit rem sacramenti
et effectum baptismi patet quia ...
... et paruulis
... baptizantur
vt predictum est. Et illa ...
... de baptismo et ... effectum
Tertia conclusio. Si ...
sit ... et ...
... [illegible]
... baptismi ...
... [illegible]
... quia ...
... salutis ...
... [illegible]
... et ... non
... voluit ...
Si ... [illegible]
sit ... et ...
... expectandum est
... [illegible]
... sacramenti ...
... habituale
... Conclusio
quarta. Si ...
... [illegible]

dissensit volens baptismum ...
baptismus patet ... sacramentum ...
... [illegible]
... dis-
sentiret et ... baptismus
... [illegible]
conclusio. Tamen ...
... consensit ...
... [illegible]
... sacramentum suscipere ...
... consensit ... Et ...
... actualiter dis-
sensit ...
... dissentiens ...
... dissentiens ... baptismi
sit ... dissentiens ...
hoc dictum fuit ... baptismi
... actualiter ... dissentiens
hec de adulto non consentiente
et ... Secundo ...
de adulto ...
consentiente et ...
... [illegible]
... non consentit ... disse-
ntit ... non consentiens
... dissentit et non
consentiens est ... dissentiens et
non est ... consentiens et dissentiens
... et nolle ...
est conclusio ... Si
quis ... et ... non
consentit patet quod ... dissensum
... baptismum ... recipit
effectum sacramenti patet quia voluit de-
... obligari ad ...
... [illegible]
Sed ... disple-
... statu. Tertia ... Augustinum
... de libero arbitrio non
est ...
... voluit ... salute

Marginalia: conclusio (by column 3, top); 2a conclusio; 3a conclusio; 4a conclusio (by column 3); 6a conclusio (by column 4)

hoc imponere in illa questione si non
distrahatur. Si ergo animus suus occupa-
retur per aliquod fantasma ad cogitandum
de aliquo plus decens ut aliquo [illegible]
et non de baptismo tunc adulti suscipi-
get vere baptismi effectum. Item
[illegible] est in angelis parte [illegible] Sacerdos
enim non obligatur actu ad uti-
quoscumque ... cum [illegible] non possit distractus
vere non [illegible] adhuc distractus
dum tamen intendat per [illegible] ce-
lebrare missam secundum morem ecclesie.
Quod tamen questio non probat et [illegible]
ista de adultis non attento [illegible]
ideo non baptizatur ... cum cogitavit
baptismi et dissentiebat [illegible]
... hoc consensit et [illegible] non
baptizatur. Dicit tamen cum cogitavit de
baptismo et consentiebat actualiter
[illegible] dissensit [illegible]
non suscipit sacramentum [illegible] actu non
cogitet propter distractionem quia non
videtur [illegible] capax si non [illegible]
quod si [illegible] ipsius [illegible] non [illegible]
Si [illegible] attente [illegible]
ipsius tamen [illegible] spiritualiter consensus
[illegible] et ille indicatur [illegible] habi-
tualis [illegible] animi [illegible]
[illegible] dictum fuit de sacerdote. Si et
[illegible] cogitavit de baptismo et non
consensit [illegible] nec dissensit po-
sitive quia non placebat sibi baptismus
nec displicebat sibi et [illegible]
[illegible] non [illegible] baptismi [illegible]
contemptum [illegible]
[illegible] in baptismo et [illegible]
nec habitu fuit consentiens [illegible]
quia non [illegible] ideo [illegible]
[illegible] aliquam habeat ad [illegible]
sibi debet sed [illegible] Sexta questio
[illegible] sibi dissentit [illegible] et
consentit [illegible] ablutionem non est

quedam habitu [illegible] ad-
quo [illegible] intendit cum fuerit [illegible]
si baptizatur vere suscipit sacramentum
et non est rebaptizandus. Tertium autem
[illegible] et consentiens [illegible]
[illegible] quomodo [illegible]
minorem pene fugiende puta
tormenti vel quomodocumque [illegible]
[illegible] sive [illegible] aliquid aliud
[illegible] consentit [illegible] etiam
quod aliter non faceret [illegible]
[illegible] ut fugiat [illegible]
[illegible] potentiam [illegible]
[illegible] voluntas sua
[illegible] et [illegible]
libere [illegible] cogi [illegible]
[illegible] valens [illegible]
quod volens [illegible] quia
nollet si posset aliud non [illegible]
[illegible] Sic [illegible]
quomodo [illegible] penam
fugiendam consentit in baptismum
[illegible] baptismi et [illegible]
[illegible] baptismi [illegible]
[illegible] ut penam
evadere [illegible] qui
voluntarie baptizatur non est re-
baptizandus [illegible] baptiza-
[illegible] sacramentum suscipit et non est
rebaptizandus [illegible]
[illegible] dictum est volunta-
[illegible]
involuntarie et [illegible]
voluntaria [illegible] addito [illegible]
[illegible] baptismo [illegible]
[illegible] quod allegat
Extra de baptismo et eius effectu [illegible]
quia illi [illegible] ad christiani-
tatem [illegible] constat
[illegible] ut fide
quam [illegible] suscepere tenere co-
gantur ne [illegible] blasphemetur

et fidei quam susceperunt [illegible]
habeat. Quarta autem [illegible]
[illegible] consentit [illegible] ablutionem
suscipiendam [illegible] fecit ab-
[illegible] et tamen nollet consentire si posset
evadere penam [illegible] quomodo
[illegible] quod consentit [illegible]
[illegible] aliquid [illegible]
[illegible]
[illegible] posset hic
aliquem effectum et tamen consentit
[illegible] illa [illegible]
[illegible] potest
[illegible]
[illegible] ille
non [illegible] Et si in
[illegible]
[illegible]
[illegible] Prima questio
De adultis [illegible]
dissentit si baptizatur non [illegible]
[illegible] effectum [illegible] est
baptizandus si [illegible] consentit
[illegible]
[illegible]
[illegible] aliquem [illegible]
[illegible] suscipi-
piens autem baptismum [illegible]
[illegible] christi [illegible] quod
[illegible] re-
clamando [illegible]
exterius [illegible] dissensum et [illegible]
non reclamando [illegible]
Sic est dissensus [illegible]
[illegible] admiracionem
[illegible]
[illegible] reclamat baptismi ex-
terius [illegible]
[illegible] consentit re-
clamans [illegible] ad ob-
[illegible] christiane [illegible]
non reclamans [illegible]
[illegible] etiam [illegible]

[illegible] tamen non reclamandi [illegible]
[illegible] malum est
[illegible] fuerit [illegible]
[illegible] quod [illegible] pro-
[illegible] malum est
[illegible] aliqua bona [illegible] et
mala [illegible] quod [illegible] et [illegible]
[illegible] mala [illegible] et bona ob-
[illegible] et hec [illegible] consentire
[illegible] suscipiende est
[illegible] dicitur [illegible] aliud
[illegible] et aliud [illegible]
[illegible] autem baptismum suscipiens
[illegible] quia [illegible]
[illegible] recipere [illegible] ablutionem
[illegible] etiam intendit [illegible]
[illegible] et tamen [illegible]
et de illo est questio octava [illegible]
[illegible] non suscipit sacramentum
nec effectum sacramenti [illegible]
[illegible] rebaptizandus [illegible]
[illegible] volens [illegible] ablutionis
[illegible] ut dictum est in predicti
questione [illegible] nolens non suscipit
sacramentum nec effectum sacramenti etiam
[illegible] ad [illegible]
[illegible] et [illegible] ad
[illegible] fidei christiane [illegible]
[illegible] meliorem [illegible]
[illegible]
[illegible] fidei
[illegible] ad sacramentum suscipiendum
et [illegible] indispositus [illegible]
[illegible] fidem nec
[illegible] aliquod [illegible]
[illegible] ut [illegible]
[illegible]
[illegible] baptismo [illegible] est
questio nona [illegible] est
[illegible] de [illegible] ut quia
[illegible] in fide si consentit [illegible]
[illegible] etiam et ut [illegible] intendit

6ta q^o

1ma q^o

3 fidei suscipit

2^a q^o

9na q^o

factum vere recipit baptismum licet
non eius effectum. Quarto recipit
baptismum, patet quia non est rebaptiza-
tus ex debito, et eius effectum
tamen mandatur. Actus enim non
voluntarius indicat sed voluntarius
tamen ut dictum fuit patet de
non consentiente. Sed quia recipiat
effectum baptismi quia voluntate deus
iustificat secundum id Augustini Qui
creavit te sine te iustificabit
te sine te. Quintum contingit habere ac-
tualem obicem contra gratiam puta
contra fidelitatem vel aliud peccatum quod
tunc actu voluntatis committit vel
quod prius commisit et actu dis-
plicet. Actu recipit gratiam. Sed
patet quia de ficto [illegible] patet per illum
Augustini in de penitentia [illegible] Nullus
arbitrii sui voluntatis compos iam est
non [illegible] ad fidelium
nisi penitentia eum veteris vite
nova vita per inchoare. Et
dicitur [illegible] id sapientie primo Spiritus
sanctus discipline fugiet fictum.
Item [illegible] allegat alias
[illegible] auctoritates. Sed contra tamen incipit
corpori Christi [illegible] sed [illegible] et
[illegible] formalis [illegible]
karacterem [illegible] susceptionis fidei
conformis [illegible] fuit formata
[illegible] per [illegible]
[illegible] suscipiat [illegible]
susceptionem fidei conformis [illegible]
[illegible] quidem [illegible]
[illegible] et [illegible] Et recedente
illa fictione [illegible]
et [illegible] iustificat. Sed ob
[illegible] fuit [illegible] perplexus
quia non [illegible] salutis nec non
posset iterari baptismus quia baptismus

est et sine gratia baptismi salvari
non potest, deus enim instituit baptismum
irreiterabile, nec potest plenarie
remissione [illegible] culpe et
pene daretur [illegible] sepius
delinquenti per baptismum possit
iterari. Sed [illegible] tamen [illegible] via
salutis [illegible] quotiescumque la-
benti [illegible] dei via salutis
[illegible] vita. Non enim [illegible]
misericordiam voluit deus [illegible]
[illegible] ad proximum obligare quam
ipse voluit habere ad subditum.
Petro enim querenti a Christo quotiens
deberet dimittere fratri peccanti
[illegible] respondit septuagies septies,
[illegible] secundum Augustinum [illegible]
[illegible] et [illegible] quotiens
[illegible] peccaverit vel recognoverit
[illegible]. Sed deus instituit
aliquod aliud remedium quo
[illegible] via [illegible] prime
[illegible] prima [illegible] via salutis
[illegible] destructa [illegible]
[illegible] Augustinus [illegible] baptismus [illegible]
[illegible] baptismi
[illegible] sed [illegible]
[illegible] recesserit [illegible]
malitia [illegible] peccatorum
ablutionem non [illegible] fieri. Sed
quod [illegible] habebit gratiam baptismi
[illegible] effectum aliquem baptismi.
[illegible] si quis ficte habeat
peccata mortalia penituerit de
ficto et de omnibus illa [illegible]
delerentur baptismo et remaneret
[illegible] et [illegible] remoto [illegible]
[illegible] effectus baptismi. Sed id non
[illegible] deleri
omnia peccata sine [illegible]

Augustinum [illegible] adeo dimi-
[illegible] venialia specialiter [illegible] dicitur
quod [illegible] ficto nullum peccatum dimit-
teretur in baptismo sed tamen [illegible]
karacter et recedente fictione [illegible]
[illegible] deleretur [illegible]
[illegible] et [illegible]
sequenti. Sed illud [illegible]
quia susceptio baptismi [illegible]
[illegible] gratia
collata [illegible] non iustificat [illegible]
opera bona [illegible] facta
[illegible] tamen deleret [illegible] gratia
[illegible] suscepte [illegible] et non
[illegible] aliquod [illegible]
suscepto baptismo quia ut dictum est
susceptio baptismi [illegible]
[illegible] non iustificat [illegible] prima
remanet fictione [illegible] peccat
[illegible] baptismo. Sed [illegible] textus
de [illegible] quod baptismus incipit
[illegible] ficto [illegible] si spiritualem
[illegible] valet baptis-
mus. Sed tamen prima [illegible]
dicitur quod recedente fictione [illegible]
[illegible] baptismum precedentis [illegible]
tota culpa [illegible] pena [illegible]
peccatorum [illegible] baptismum [illegible]
sit peccata vero [illegible] post baptismum
commisit delentur [illegible]
[illegible] depellentis. Sed peccata
[illegible] commisit post baptismum non
delet [illegible] culpam [illegible]
[illegible] baptismum [illegible]
[illegible] sequentia peccato [illegible]
[illegible] et [illegible] tanta quod
[illegible] delebat [illegible]
posset [illegible] assent
Durandus [illegible] collato
sit [illegible] quod
[illegible] sine [illegible]

actu suscipit [illegible] non
ponit obicem [illegible]
[illegible] removetur impedimentum
[illegible] sacramentum [illegible]
quod karacter quando [illegible] dis-
positio [illegible] ad gratiam
superveniat impedimentum impedit
sed recedente fictione [illegible] impedi-
mentum [illegible] sit karacter
baptismi [illegible] gratia
baptismi semper consequens karacterem
remoto impedimento. [illegible]
dendum est [illegible] ante baptis-
[illegible] et recipit [illegible] et
effectum [illegible] suscipiunt
[illegible] sacramentum [illegible]
anima [illegible] baptismo
[illegible] delet [illegible]
[illegible] peccati [illegible]
[illegible] sacramenti et [illegible]
[illegible] equaliter [illegible]
[illegible] baptismum
[illegible] adiuva-
[illegible] ad [illegible]
[illegible] baptismi
quando [illegible] tollit [illegible]
[illegible] spiritualiter
[illegible] actualem [illegible]
actualem [illegible]
[illegible] peccatum [illegible] re-
[illegible] quia [illegible]
[illegible] tollit non solum dispositio
[illegible] dispositio
[illegible] Sed [illegible]
[illegible]
[illegible] venialia [illegible]
[illegible]
disponit ad [illegible] et tollit
gratiam [illegible] pena et [illegible]
[illegible]
[illegible] iustificati

[illegible]

post baptismum accedunt de hoc
autem baptismus percipitur et aptitudinem
si committendum sit pro [illegible] contrariam
tendant et ab exteriori satisfactione
absolvitur et gratiam adiunxit cuius
merito augetur. Verum numquam homo tam
[illegible] possit fomes quod peccati [illegible]
amplius debilitatur. Si autem hoc
conferitur certum baptismum per hunc
susceptus pari ratione et aliis rite
suscipientibus. Sicut ambo [illegible]
[illegible] sunt pena sunt dona dei
et necessario est gratia dei in baptismo
non requirit gemitum vel planctum
vel aliquid aliud corporis sed ea gratis
donat quod quidem de exteriori planc-
tu et gemitu et satisfactione et
in pueris est quomodo [illegible]
adultis remanet. Hic autem est certum
apertum et pena peccato debita absolvitur
et rite suscipiente hoc tamen intelligendum
est in foro dei quia in humano iudicio
solum attenditur qua pena homo sit
dignus quod addendum [illegible] sit
obligatus apud homines quia si
lex peccatum et eius lex homicida
liberetur tantum a culpa et reatu
quo addendum remanet tamen obliga-
tus quo ad homines ad penam iuste
peccati culpa [illegible] constitutam et
de iure [illegible] et civilibus possit
puniri per penam [illegible] maxime
si signa apparerent apparerent quod
homicida peteret baptismum [illegible]
fidei et non timore [illegible]
[illegible] quod tam [illegible] sacramenti quantum
ad beneficium gratie baptismalis est ex
merito christi sed id aequaliter respicit
omnes quantum ad se non christus est
per passionem pro quibus quia qui
rite suscipit sacramentum equaliter suscipit
gratiam quantum est ex parte sacramenti

et ex parte operis operati. Item tota
efficacitas sacramenti illius est a divina sta-
tuto cum deus statuit quod [illegible]
suscipientibus sacramenti aut conferre gratiam
et in eo sit acceptor gratiam non
eadem quod deficit per se [illegible]
ad equale gratiam gratie conferendam
quantum est ex parte sacramenti propter hoc
possit aliquid addi [illegible]
duceret. Et [illegible] angelus
effectum gratie et aliud effectum quod
est dimissio culparum et penarum
penis debitarum non [illegible] suspi-
piunt unde de puero qui baptizatur
quamvis non habeat nisi originale peccatum et de
adulto pleno peccatis mortalibus venialibus
totum dimittitur et adulto plus
quam puero et ergo ipsum effectum
baptismi qui est dimissio culparum et
penarum inequaliter suscipiunt non ratione
autem efficacitatis baptismi cum quantum
ad hoc ratione diverse dispositionis
cum quantum ad [illegible]
veniunt per gratiam. [illegible] dicta
[illegible] quod fomes peccati per
baptismum debilitatur. [illegible]
quo ad [illegible] pena remittitur [illegible]
per eum baptismum et remitti quo ad
effectum quod [illegible]
sed peccatum [illegible] quod augeat gratia
fomes habet et efficaciam [illegible]
ad peccatum. Undecima questio adultus
aequaliter gratiam recipit in baptismo quam
parvulus et cum adultus [illegible]
Prima pars quod adulto non dimittit
peccatum nisi digne suscipit sacramentum
secundum meritoriam contritionem de peccatis
si sit potens ratione. Et illo dolori
[illegible] postea [illegible] gratiam
baptismalem [illegible] actualem contritione
non est in puero [illegible] ille [illegible]

suscipit gratiam. Secunda pars quod
est non [illegible]
quam aliud et est amore devotionis
[illegible] sacramenti ex opere operati.
Duodecima questio utrum ministro sanctitatis
ore seu ex baptismatis merito quis plus
conferatur gratia cum baptizato quam alius [illegible]
[illegible] dispositio [illegible]
[illegible] baptismi
[illegible] sanati a lepra [illegible]
hoc [illegible] collata multiplex
gratia. Item orationes sacerdotis boni
[illegible] baptismi
magis exaudiuntur et valent illi
[illegible] quam sacerdotis mali
orationes [illegible] de
malitia propria et aliorum [illegible]
parvuli [illegible] suscipere baptismum
[illegible] malum
[illegible] sacramenti [illegible]
[illegible] est ex parte operis operati [illegible]
[illegible] ministri devotio [illegible]
parvulo plus infanti conferretur de
gratia [illegible]
[illegible] sacerdotes [illegible]
[illegible] et obstinatos [illegible]
dubitat [illegible] conferre
[illegible] gratiam [illegible] parvulis
peccato originali peccato reatu. Sacerdo-
tes autem [illegible] devotionem
[illegible] et non curant digne sacramenta
digne ministrare et suscipientibus
[illegible] attendat
[illegible] baptizati
[illegible] moti et devoto vel in
offerentibus parvulum vel ministran-
tibus aliis assistentibus baptismo
quorum merita affectiones bo-
nas et devotas orationes [illegible]
plus confert gratie quam alii non
virtute baptismi [illegible] Et hoc
[illegible]
orationibus suis [illegible]

gratiam [illegible] puero [illegible]
[illegible] effectus ut duobus diebus
[illegible]
[illegible] Tredecima questio utrum
per baptismum tollitur culpa et pena debita
in foro dei et ecclesie debita peccato
actuali et originali remittitur in
tamen baptismo. Sed alia pena [illegible]
omnibus conferitur de culpa et pena
[illegible] satis patuit [illegible]
Unde pena [illegible] seu ec-
clesie [illegible] pro pena [illegible] seu
irregularitatis et debite [illegible] remit-
titur [illegible] in baptismo [illegible]
[illegible] baptismum [illegible]
[illegible]
ille pene [illegible] culpa [illegible]
[illegible] in baptismo tamen dimittitur [illegible]
pena [illegible]
[illegible] in baptismo
et sit quod [illegible] homo in foro dei et ecclesie.
Unde tamen quod dicunt alii quod irregularitas
contracta ex bigamia non tollitur
ita quod si [illegible] bigamus [illegible]
baptizetur non posset fieri clericus
[illegible] non ex culpa [illegible] Sed
cum irregularitas contracta [illegible]
[illegible] baptismum
tollatur per baptismum [illegible]
quod per baptismum non tollitur pena [illegible]
quantum est pena culpe. [illegible]
[illegible] culpe [illegible]
non [illegible]
Si autem [illegible] contracta propria
accidat extra [illegible] baptismum tamen quod
[illegible] si rite baptizatur
absolvitur a culpa et [illegible]
[illegible] pena [illegible] culpe et [illegible]
illo tempore [illegible] melior [illegible]
[illegible] quod non [illegible]
tamen est virtute sacramenti. Hec plus
spectant ad [illegible] Alia
[illegible] ut predictum.

12a questio

11a questio

13a questio

fuit si videtur oriundum ut fuit bap-
tizatus sed si eius peccatum deplora-
dit non oportet quod euadat penam
misero [illegible] si decretum [illegible] the-
ologi consolatur quod prestatur ei similiter
ad apparatum vera scilicet pene et
si non propter timore mortis [illegible]
notare [illegible] bap... Pena autem spiritualis
inflicta non [illegible] punitur porro
de genere lege non tollitur malum quod
per baptismum generatur [illegible] in peccato ori-
ginali. Secundo non tollitur pene tem-
porales consequentes peccatum originale
ut rebellio carnis ad spiritum et
fames seu concupiscentia [illegible] fames
[illegible] frigus et etiam corporalis ille
non removentur per baptismum propter causas
quas ponit magister in littera scilicet ut
possimus mereri et habeamus
materiam pugne spiritualis et ne
crederetur homo consummatus sine
baptismo et ut conformemur Christo
capiti nostro in penalitatibus. Tercio
[illegible] peccatum actuale [illegible] gradu
quod baptismus non delet semper
culpam in [illegible] quod accedat ad
illum ad baptismum non mortalis venialis
peccati. Nam dicitur ei effectus sacramenti
quod venialis non repugnat gracie
et rite suscipit sacramentum et tamen
non delet eorum culpam quod ideo
venialis non aliud facit et
et non est. Post quod quod nullo
modo venialis efficit mortale
ad ipsum mittere quod ipsi quod aliud
est venialis addit contemptus
quod erat mortale eo quod talis pre-
[illegible] se disponere ad sacramentum
id est [illegible] quod frequenter
[illegible] surgit mortis venialis et sunt
spirituales. Homo suscipiens sacramentum
videtur dicendum est quod mortis venialis

non facit sibi fomitem gratiam sed
expellit sed eam minuit eo quod
actus boni et malorum [illegible] quo
[illegible] venialis est [illegible] [illegible] et in
[illegible] [illegible] [illegible] fit [illegible]
non [illegible] [illegible] [illegible] pluribus ac-
tibus sit [illegible] et [illegible]
mortis venialis [illegible] statim
baptismus plenius habet effectum ut
hinc est mortalis deleatur sed defectu
[illegible] dicitur est. Flumine est desi-
[illegible] [illegible] et non sit
sit nondum quod [illegible] post baptismum
scilicet fluminis flaminis et sanguinis.
Quid sit baptismus fluminis patet
est [illegible] dictum quod est ablutio hominis
[illegible]. Sed baptismus sanguinis est
martirium pro Christo [illegible] et in non
est sacramentum [illegible] quod deficit sibi
illa que sunt de ratione sacramenti [illegible]
quod deficit [illegible] [illegible]
quod sanguinis non habet rationem ablutionis
sicut baptismum quod est aqua que maxime
abluit deficit est in 2o quod constitu-
[illegible] [illegible] est institutio [illegible]
[illegible] specialis [illegible] [illegible]
[illegible] [illegible] est in non fuit
aliqua [illegible] forma deta. Et bap-
tisma flaminis est institutum [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] privilegio [illegible]
Johanne baptista et Jeremia
et est [illegible] [illegible] [illegible]
[illegible] sanctificata est hic [illegible]
hoc modo sit [illegible] [illegible]
[illegible] [illegible] [illegible]
ut in adultis quod [illegible] a
[illegible] [illegible] [illegible] [illegible]
est id [illegible] [illegible] [illegible]
baptismum institutum [illegible] interior
semper est baptismus flaminis [illegible]

exterior ablutio sit baptismus fluminis
et ille baptismus flaminis est [illegible] est
[illegible] baptismus quod non est sensibile
signum sed potius est res sacramenti.
Sed quare flaminis baptismus et sanguinis
[illegible] dicuntur baptismum si non
sunt sacramenta. Dicendum quod [illegible] [illegible]
est [illegible] [illegible] ablutio et purifi-
catio et ideo non [illegible] [illegible]
nomine baptismum [illegible]. Et hoc etiam
sacre scripture [illegible] [illegible]
Unde de baptismo sanguinis dicitur
[illegible] baptismo habeo baptizari. Et de bap-
tismo flaminis dicitur [illegible] [illegible]
baptizabimini spiritu sancto non post mul-
tos hos dies. [illegible] quod martirium
dicitur potius baptismus sanguinis vel
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] passi [illegible]
in martirio [illegible] vita [illegible]
[illegible] in sanguine [illegible] [illegible]
de [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
liberatus [illegible] quod [illegible]
gladio. [illegible] est [illegible] [illegible]
[illegible] [illegible] [illegible]
suscipit [illegible] baptismum flaminis
[illegible] sit baptismus [illegible] flaminis
[illegible] [illegible] baptismus est [illegible]
[illegible] sacramentum baptismum flu-
minis [illegible] suscipere [illegible]
suscipit [illegible] et rem sacramenti
scilicet graciam et [illegible] a
culpa ut [illegible] ista collata sunt
ut in adultis [illegible] [illegible]
contritio de actuali culpa ut
[illegible] fuit. Et id est [illegible] bap-
[illegible] est baptismo flaminis
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] baptismum baptismo
sanguinis [illegible] flaminis [illegible]
et non fluminis habet rem sacramenti [illegible]

non sacramentum [illegible] ut dictum est
baptismum non sit [illegible] [illegible] et
[illegible] doctores non [illegible] [illegible]
[illegible] [illegible] habeant rem sacramenti
scilicet graciam et [illegible] de baptismo
flaminis [illegible] [illegible] [illegible] [illegible]
de baptismo sanguinis [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] valet ad [illegible]
[illegible] [illegible] ablueret [illegible] [illegible]
[illegible] [illegible] baptismum fluminis
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] tenetur ad
illud tenentur ad baptismum [illegible] et
[illegible] [illegible] effectum [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] lex [illegible]
[illegible] [illegible] obligat [illegible] ad
[illegible] [illegible] [illegible] [illegible]
[illegible] est [illegible] [illegible] [illegible]
fuit preceptum de baptismo suscipiendo
[illegible] [illegible] et [illegible] [illegible]
quod [illegible] fuit [illegible] de lege
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] illi legi et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible]
sed est [illegible] [illegible] baptismo
[illegible] qui [illegible] [illegible]
magnam graciam [illegible] [illegible]
[illegible] illud [illegible] [illegible] actu [illegible]
[illegible] [illegible] illud [illegible] [illegible]
[illegible] est [illegible] [illegible]
baptismus [illegible] [illegible] [illegible]

tus postulat actu suscepisse susceptores
baptismum sicut accipere circumcisionem
Tertia circumcidendus perfecto de genere
lege accedente ad baptismum gratia
augetur. Et dixi non et angelos ad
quod deus non dispensavit precedentem
ut non teneretur ad id propter beatam
virginem que forte fuit excepta
ab ista lege et fuisse eo dispensa-
di cum ea quia fuit forte circumcisione
filii sui gratiam plenam ... ad
quam deus disposuit eam precipue
Et apostolis autem quidam glosa super Johannem
quod qui lotus est non indiget nisi
dicit quod apostoli fuerunt baptizati sed de
hac dictum fuit supra et preterea
addidi ... vel tertia nulla ...
ut eo quod Christus dispensavit cum
apostolis super illo precepto solum nec
enim exstat aliquid consulta fuisse ...
litatis cum non ipsi gravatos fuissent
deo per hoc quod non erant baptizati nec
fuissent efficaciores doctores in manu
... quod virtus efficacior ...
... valet ... ...
opere implere quod dicat ...
Et si noluit baptismum suscipere ...
legem suscipiendi alios imponendo
et ... ... dicitur cepit Jhesus facere
et docere. Et dixi etiam ... teneretur
ad baptismum effectu et baptismus flu-
minis vel sanguinis suppleat adultis ...
... ... voluntas effectus et af-
fectat baptismum fluminis ...
pervenit ut ... non suppli-
... baptismum fluminis ...
... ... sicut dictum fuit
... deus ... ... obligat
... et quod non potest facere reputatur
ei perfecto et hoc ... ...
... dicitur ... ... bene

... ... efficatiam ...
... ... in passione
... Christi ... baptismus ...
posse suppleri si est fidem et con-
versione ... si forte ...
... ministerium baptismi ...
... non potest ... ...
si aliquis habet fidem et ...
... baptismus et non potest ...
suppleri omnipotens benignitate quod
... defuerit ... ...
... tenetur ... ... et
non potest ... deus ... sua
potentia ... non obligavit. Et
dixi tunc ad id ... et tempore effectu
ut si ... ... opor-
... et ... teneretur suscipere
baptismum ... Et ... si ...
viator nobiscum quousque ...
recipere ... efficatiam ...
baptismum sanguinis quia ... baptis-
... ... et ...
... et ... tenetur ... ad baptismum
fluminis quia non ... nobiscum
viatores sed ... ...
... Si autem ... baptismo san-
guinis ... nobiscum ... viator
... ... et tempore ... tenetur
... recipere ... baptismum
fluminis et ... ...
... ... quia
... ...
... ... penas pro
fide ... ...
... dicta ... ...
... ...
baptismum flaminis et sanguinis
... si potest tunc maxime parvuli
possit salvari ... baptismo fluminis
... ... maxime deberet
... ... non ...
... ... baptismum ... hoc
... ...

... parvuli si ... baptismum fuerint
... et si ad baptismum ...
... ... non ... ... et
tempore ... tenetur ad baptismum flu-
minis ... ultima ... gratia
manifesta ... quia Valentinianus
... ... habuit tempus
oportunum ad baptismum et ... et
... susceptores moriebatur et
... salvabatur ... ...
... ... ille
... quam ... ... omni-
... tenetur ...
... ... si ... ...
... baptizaretur baptismo fluminis
... ...
... ... quia ... ...
... ...
... ... parvuli
et suscipiens baptismum ...
... ... quia non abluit
... ... baptismum
... ... quod parvulus si ... baptismum
... baptismo fluminis salvare-
tur quod damnaretur ... quia ...
baptismo fluminis ... gratia ...
quam ... salvatur et ... de
... lege non potest parvulus ...
ad ... aliud quod ... baptismum fluminis
... ... et
... deus ... ...
... ...
... ... lege ... ... et
dolore ... ...
... ...
... ... de adulto et parvulo
quia ... ... valet ... ...
quam aliena et ita adulto vo-
luntas sua plus valet quam ali-
ena parvulo et non damnatur
parvulus propter transgressionem ...
sed propter culpam originalem ...

... ... non deleta ... deficeret
puer ad baptismum et ... ...
... hoc ... baptizetur ...
... salvabitur quando non bap-
tiset baptismo fluminis ...
... ...
... deus non ... ...
puer ... portatur ad baptismum ...
et propter hoc ... baptismus
... ... baptismum et ... sanguinis
pro ... baptismus ut illa
mors ... ... baptismo
Si autem alia ... ...
... ... damnatur ...
quo baptismo ... baptismus
... baptismus sanguinis ...
... ... martires ...
martirum est baptismus sanguinis
... ... ad martyrem
... ... voluntas ... et
... ... et ...
habuerit voluntatem ... ...
... et latro ... ...
... ... latro ... ...
... ... fuerat baptismus
baptismo sanguinis ... baptismus
flaminis quia ... baptismus ...
... baptismo flaminis ...
... ...
martires ... ... ad martyrium
... ... volun-
tate et ... ... in
... ...
... et ita ... ...
... ... et ... ...
... ...
... ... et ... ...
supplerent quod deerat ... no-
... ... supplerent
quod deerat ... et propter hoc
... ...

latrone ad paradisum sicut ei dixit
hodie mecum eris in paradiso et pe-
nam eius fecit ex martirium quod
quia passio latronis non fuit simpliciter
occasio martirium sit in virtute
augustini culpa que defuit tamen
domini fecit ex martirium quod de-
fuit supplevit dominus quod deerat la-
troni Ad 2m dicendum quod tunc erat tem-
pus ecclesie differre baptismum
usque ad tempora defixa et sollempni-
tates ut devotius et cum maiori
reverentia susciperet sacramentum spe bap-
tizandi et ut prelati excluderent
fictionem baptizandi in tamen periculum
mortis et cum nobis ordo sed
tamen periculo tunc non peccavit
differendo ante eius desperationem fuit quia
periit et fuit volens tamen baptizari
et non contempsit baptismum quia sal-
vatus fuit per baptismum flaminis Ad
3m quod quamvis doluit sed
centre meo doleo ut propheticum
verbum eloquar Ad 4m dicendum quod non doluit
de sua culpa nec de deposite illius
set ut dictum est non sufficit
aut illud desperatum fuit dolore
compassionis tamen doluit quod licet
peccati fuerunt sibi dimissa pro-
ter dolorem suam tamen quia non fuit bap-
tizatus ...punis adhuc aliqua subsisteret
penam purgatorii propter hoc ergo
comparietur cum eodem ut qui
dixit venerunt omnes ad me velut quasi
cithara penaliter Ad 3m dicendum quod com-
mutat sacramenti non fiat ut sit signum
signum quod est et significat gratiam et tamen
est signum practicum unde licet lla
sacramenti erat ibi post gratiam perfecta et tamen
est signum cum practicum non
...eius quod est effectus sicut similiter
sed ablutio eius fuit completum vel
tamen non fiat ut tamen secunda

tamen quamvis est ex parte sacramenti sed si ali-
quod mittat aqua cum esset ablucta
Ad 2m principaliter gratia soluta est
oportet et gratiae Ad 2m dicendum quod complexus
magis ipse est ad opus institutum quod
omnino quod pereundo vero perditur propterea
talis omnino non potest recuperari
usque requirit ad decem contractum quod ad
optare cum sufficit solus actus adap-
tatus et ipsum actum habet ad
operatus devoto aut abrenuntiandi
dicendum quod id non est decem baptismus sed
despexisse et ergo sine voto tales quod
baptismus sine alia mentio requisita debe-
re Ad 4m soluta est cum dictum et nomina re-
cipientibus videtur est efficere accedentibus
ad baptismum Ad 5m soluta est in sol-
vendo 3as rationem contra ultimam
quod et sanctam et per se solute
eius exclusa ratio

Quarta est utrum heresis vel
maliciae ministri impediat
efficatiam sacramenti Et arguitur
quod cum malicia de se formaliter exclusio
baptismi per sordem non videtur sed polluit
et habet per quod per quam similitudo accidentis
tam ad eum non apponatur Et per
adeo sicut dicitur quod est ex parte princip-
alis et principalis ad sanctum et sibi sanctum
non solum per est sed ad videndum esse
aliis sanctum sacramentis turbatis et ita
perficitur in decreto vero quod tunc ante
cum non fuerat baptismus per sordem 2a par-
te q. prima Et cum de baptismate sepulturam
abcaria fore haec prius adiutus in actus
ex non per quemadmodum semper non
sequitur ut membrum quod amputatur
a corpore Ad 3m dicendum quod membrum aridum
non potest ex re influendi aliquando in
aliud membrum sed minister malus
est membrum aridum ecclesie quod sine gratia
quae est vita ecclesie Ad 4m extrema vita

acti sed fidei sine qua credo mortem
dampnant quia sine fide impossibile
est placere deo ad heb. 11 Item Augustinus
dicit etiam malo ministro seu heretico
vel scismatico non possent fieri
baptismum et tamen sine pena sine pena perdit
et tamen non est dampnatus sed martir
quod sicut pena non est creaverant
tunc aliquis acti sed fidei sed credo
secundum eam pertinet ad istud actus peccata
etiam tamen Item ex de heretic
ad abolendam de commissis et
de scientia et aliis dare non
metuunt aut pecunie sacrosancta
dona etiam dare concesso propter
tunc anathematis indebitis 1a
alia pars quod hereticus baptizans
non est ecclesie et pertinet ad aliquod
sacramentum ex lege ipsorum teneret
oppositum eius tamen sed acti fidei
dicendum sed dominus est asserendi testimonium
et tertium adfaciendum quod non cum
pertinens nisi ad faciendum 1a non
est hec asserendi et oppositum negandi
In opposito dicendum quod sicut ostenditur quod ad-
hat auctoritas inducit Item dicendum quod
cum caritas per quod omnia baptismus
talis est qualis re ministrat aqua per quam
non qualis minister aquam dat Item
ad penam dominatus sed malicia ministri
minister sit malus sed hereticus sive
scismaticus sed mors sed infidelis sed si
intendit facere quod facit ecclesia et
servat morem ecclesie non officit baptismum
et baptismus sequitur esse baptismi effectum
non impedit abstrahit peccati contraria ex
...tantum secundum quod sit alle-
gat magis enim et non reddit
illi pena quia gratia 1ma dicendum quod
quod aliquod baptizat baptismus sequitur
fidem tamen sufficit baptismo et non
dominus Et 19 x dicendum quod pro punitione
ponitur heretico baptismum recipit
baptismo infide ecclesie et non vere
baptizant Item ita placuit ipso

instituit ut malicia ministri non
impediret sacramentum nec eius effectum
ut augustinus colligit circa eius 19
baptiste super quem videris spiritum descen-
dentem hic est qui baptizat ut
scribitur Jo. 1o Item quod sicut baptismus sacramentum
ministratur per plures et quod tamen per
eo deo est asserere signo suo
practicum ad causandum speciem ex
... volunt sine perfectione
...ministri ut per penam sua
...aliis tamen signo ex actu
... ab virtute cum ex parte
ista et assistentia quod illud de-
... per virtute ab
ipso Item congruentia fuit ex parte
quod si baptismus non posset efficere
...non est magnum ...
...
...
...
alterum et si ex bonitate ministri de-
pendet baptismus nullus posset aliquid
ex certitudine sic vere suscepisset baptismum
quod est inconveniens Item dicitur quod
nec etiam per certitudinem quia nescit
dispositionem propriam dicendum quod sine
homo posset videri certitudinaliter sed
requirit certitudo quod ipse intellexit
dicit recipe baptismum et non sufficit ex
parte cum Item dicit quod non per ex
certitudinem ... ministri dicendum quod
...minister tamen
actum exercens intendat illud
facere quod ecclesia facit sufficit
credimus sed posset ita certitudo
... bonitate ut ... tamen
... est alterum per
aequitate alterum quod sibi alte
... et non tamen ita
ut posset sicut amputatum sicut baptismus
disponit se ad gratiam quantumque
Item ergo malicia ministri baptismum
impediret ad effectum eius ille
puniretur pro culpa aliena ut ...

sibi computanda ... Item tertio
sunt de substantia sacramenti quod omissis sepa-
ratim euacuat quod sunt de sollempnitate
bonitatis ministri et ornatus quod
... de quo certo constat facti effi-
cacia. Item baptismus est sacramentum max-
ime necessitatis potissime quo ad paruulos
qui non habent aliud remedium preter il-
lud scilicet ad eternam uitam pertinentia
est gratissima et notissima ... omnibus
aut ornata et gratuita ...
de ... et ... scilicet quo ...
ministro baptismi. Secunda questio quod
baptismus sit supplendus in spirituali uel
saltem ministerio presupponente ...
separatum potens ... ablue et
... deberi conferre sacramentum quod ablutio
ablue baptismo quod est actu sacramenti
...
corporis ... ut pote in ... secundo
uel priorem ... aut
... aspergendo ...
...
... illo modo
... actiue ablue aliud ...
ministrare conferre ... est for-
... esse posse loqui ...
... ministro
... hec ministerio et
... ut dixi questio baptismus
... spirituale uel saltem
ministerio presupponente ... sepa-
rato ... et ...
potente ablue et ... conferre
Et dixi angelos supplendo ministeriale
... bonus angelus baptizaret
... assumpto non ... pro ...
supplendum esset ... baptisma
ut dicit ... non ... de-
precepto ... baptismi alium
... bono ... ministra-
... prohibent ... dedicare

in monte Gargano asserens eam
esse dedicatam ... Dicendum
esse ... separata ut ... peti. Si
... angelus in corpore assumpto
baptizaret et ... esset de pre-
cepto dei ... habendum ... pro
baptismo ut dicit ... Tertia ... ma-
lus ... ministerio obedire deo
... esset ... recurrendum
... ... angelus
uere baptizaret ... ministrum
...
... salute et actu ...
... Quia ... ministro esset ...
... precepto ... supp...
esset ... scandalum ...
... ...
ad salutem baptizati ... administra-
... ad salutem hominum ...
... Nona questio ... ex-
cludit ... baptizandi ...
... hereticus aut ... baptizati
... excludit ... laycis
... ...
... uere baptizant
... questione nullum mi-
nisterio spirituale excludit ... posse
baptizare ... defectum ...
...
... defectum ... uel
... layci ...
... baptizare. Item ...
baptizari sit sacramentum ... est ...
... est facta ... maxime
baptismi ... subiectum
... ablutio ... ...
de ministro. Item ... tota questio
... de ... x ... de ...
... docta et sancta ...
... aliquis baptizare non ...
... magis ...

Item ... non esse rebap-
tizandos qui ... pagani
... ...
rebaptizandi ... baptizare non posset
... baptizare
... sacramentum ...
Undecima questio ... baptismi
... ...
... sacerdotes ...
... baptizare. Prima ...
quod Christus ... homo ...
... et ...
spirituale et ... magis ... ministro
... ... Quia ...
baptismum ... ecclesie
ecclesie militantis ...
... ...
... ...
et ... Conparat ...
... baptismum ... sacerdotibus ...
... ...
... ...
... baptismum
... baptismi ... ecclesie
militantis ...
... ... ad ... et
... ...
... ...
... et ... ...
Christum tanto magis ... de
... ad ... et ... baptizare
... magis ... quam
... sacerdotes ...
... ...
tatem baptizandorum ...
... sacerdotibus. Quarta
questio sacerdotes ... non
... baptizare parochianum
non ... ...
ad baptismum ... ...
... posset baptizare ...

... sacerdotes possit baptizare ...
parochianum ... ...
... ...
... ... ad ...
... ... magis ...
... ...
... ad ...
ad baptizandum ... Sexta questio
... ...
baptismum ... ...
... ...
... baptismum ...
... ...
... ...
... ...
...
... ...
... ...
... ...
... ...
... ...
... ... Sexta ...
... ... ad ...
... ...
sunt ... ... et ...
... ...
... ...
ad ... ...
... ...
... ...
... ...
... ... baptismus est ...
... aut ... et ...
... ...
aut ... baptizandi et timet scan-
dalum ... baptizaret et ...
non ... baptizando ...
... ... et
... et ...
ut ... ...
... baptizaret ... scandalum

si ille non baptizaret tunc ille deberet
non bap^re nisi prius se pararet ad susci
piendum quod si non facit peccat non tamen
negligendo quam dispositionem non tamen
contemptum faciendo sacramento et ex sic tempo
do si illud aliud quod non est ydoneum
Si autem est notorius peccator tunc peccat
etiam alios scandalisando et si tradere
ptem gulusionis secundum durandum Ibi
3° quod talis accedens facit sacro tamen
non mereatur propter statum sit displicet secundum hoc
de peccatis suis de quibus si constiuis
est conscientia per suspiciones actum tamen sacro
se ingerere nisi doleat de peccatis suis
quod si facit propter sine scrupulo bap^re
Sed contra 2^a parte arguitur primo bap^o no
minatur autem et absque solempnitate non
bap^at ut minister si ut vetula bap^zet
et ideo non audet agere aliquid in de
contra ministerium ergo non peccat Ad
tertium dicendum quod est eius consuetudo
me ... esse et est solummodo quod
quod non potest facere nisi minister non potest
facere nisi ut minister sed potest esse baptizo
bap^o ... esse non si ... ministerium quia
est non valuit ... quod si est non fa
ret ut minister tamen accedentis facit
sacro non disponendo se propter ...
tamen est ex parte bap^di excusat eum ...
cum credibile ... non est tamen ...
excusans eum ex parte quia non tollit
rectum validitatem ex parte baptisandi Sed
talis est ... quia ... est hoc
displicentiam de peccatis suis et ac
cede ad bap^m habet demissionem bap^mi
Illud autem est dicendum a quibus sus
cipiendus est bap^mus Et est questio prima
adultus licite inmediate recipit bap^m
a ministro prius heretico vel excommunicato
si alius minister haberi non potest propter
... con donatistas ... bap^m
tradere per bap^tum ... tempore
tradat Ille autem tunc tradit per salu

tem accipere si ipse non ... accipiat
sic plerisque ... a^o et ... de
... non alienato ...
... ingruente ad aliquem he
reticum pervenire et ab eo bap^m sine
... suscipere ... defuncti
... apud eos re
maneat ad quos ... tradere ...
Et dicitur quod forte posset ... rece
pto ... bap^o flaminis sufficit
... forte ... remanet ... evitaret
... melius
... quam ... accipiat
quam quod de vita sine bap^mo flaminis
discedat Sed si parvulus est bap^dus
et nullus ... minister nisi prius
absentia et si imminet periculum quod
non possit expectari ydoneus minister
tenetur ille parvulum suum offerre
... quam ... bap^zo
ipse ... offeret Si autem offeret
... quod non posset bap^ze quia
forte ... prius
ad bap^dum non tenetur eum offerre
Alanus ... quod tenetur
parvulum suum ... quia non
posset ... bap^tur
... bap^at ut
dictum est ... Romanis ...
... aliquis quod ...
... non recipere ...
... adultus recipiens peccat mor
quod ... bap^dus aut est ad
ultus aut parvulus Si adultus ...
... bap^s flaminis quia non potest bap^m
flaminis ... quia non habet ...
... prohibitum est ...
... et maxime ...
... et quod ille salvabitur
per bap^m flaminis ... est ...
non potest ... Si autem bap^dus
sit parvulus tunc offerens parvulum

baptizet eum si non potest magis ydoneum
... non ... prius non licet
... parvulo suo non ... Sed
... et ... quia preceptum
superioris plus obligat quam preceptum
inferioris De eo autem precepit bap^m
suscipere et etiam ... non ...
... magis ...
... est precepto ...
... non plus ... quis ...
... quam ... prius
teneat ... ministratorem sacra
... tenetur ... ministrare
... tenetur aliquis
ab eo recipere ... quia
si aliquis ... videret parvulum
non bap^tum morituri tenetur eum bap^ze
ipse ... tenetur ... ...
... moriet ... ... multo
fortius tenetur ... spiritualem
Sed ... est questio prima ...
... solvitur ... quod ...
... quod preceptum ali
... non obligat ad ... Precep
tum autem legis ... non autem ...
est precepto ... ut ... preceptum ...
... obligat ad salvandum ...
... vitam corporalem ...
sic multo magis preceptum divinum
suscipiendi bap^m obligat ad de
... ad salvandum vitam proximi
spiritualem ... contra
... obediendum est precepto superioris
quam ... sit ... in actibus
... preceptum est ...
... ... index ... ut lator
legis interpretatur preceptum ...
... ...
... preceptum legis ut contra preceptum
... Secunda questio Ministrans bap^m
est non prius malus tamen moraliter
... ita quod vita ... scanda
lizat homines ... non ... vitae

... gravius peccat quam ... actum
peccatum ... publice ... quia
quod spectat ad forum publicum non de
... ad forum occultum Sed bap^ze
est fori occulti si ergo quis ... occul
tum peccatum ... quod in publico
et coram populo ... ignorat peccatum ...
ille ... diffameretur
... ...
... causa diffamationis illius et
peccaret Conclusio ... ...
... notorie malo ... notorie
... fornicator si est ordinarius pres
byter ... recipi bap^s ...
recipiens ab eo ... tenetur non
peccat ... ...
... suo ministrare ...
... parvulo suo Sed recipiens
bap^m ... peccat ... non ...
... et non ordinarius ... tenetur ...
... est sacerdos vocatus ...
... curati ... hec ...
... ... officio ... ...
... ... inferior ... superior
... peccat ... ab illo recipit ...
forte ... ut ... ...
... ... Si autem ...
... melior ... posset ...
... peccat ... quia ... obliga
sacerdos ordinarius et ...
delegatus ... recipere seu repetere
debitum ab ordinario ...
et ab illo et ... sacerdo
... ... posset ...
... bonum ...
... et ... illorum suscipi
endi bap^s et ... ...
... a sacerdote suscipiendi ... prof
... ministrandi sacramenta ...
... sacerdotibus et non laycis ...
ergo ... defferens offi
cio in ... administrandi sacramenti
non ... Conclusio prima ...

tertia questio
... quarta
tertia questio prima

Ideo ita peccasset quod omnino vellet ven-
dere sacramentum et sic esset symoniacus
vel quod velit aliud pretium pro re-
compensando sacramentum committit symoniam
Dico ergo quod pueri non baptiza-
to puerulo [illegible]
[illegible] respondendum baptismus
vel ad sacramentum quod non adul-
ti recipere debent sacramentum actu pro suo
malo quia peccaret mortaliter [illegible]
do pretium et [illegible]
[illegible] obligatur recipere sacramentum
et esse tamen [illegible] necessitatis et
non sunt alii potentes vel volentes
baptizare quia non potest recipere sine
[illegible] peccato [illegible]
quibus tenetur sub peccato mortali
puerulum et ipsi ad baptismum [illegible]
[illegible] cum Christo et quod nullus esset
vellet baptizare et constat [illegible]
Dico tunc exponit puerulum [illegible]
[illegible] baptizetur
si possit [illegible]
[illegible] si saltem [illegible] alius assit
et baptismus non possit differri. Si autem
ipse non possit baptizare nec aliud
possit facere quod baptizet puerulum
[illegible] non credendo baptismum tunc
dimittat puerulum [illegible] baptismo
quia non sunt facienda mala ut
eveniant bona. Et quilibet
magis diligere se ipsum quam proximum
et proximi animam quam corpus [illegible]
[illegible] quam [illegible]
[illegible] quod [illegible] de facili
dedisset vel [illegible]
sine [illegible] committenda [illegible] baptizandi
ut [illegible] puerulum baptizandum possit
facere baptismus. Si vero sacerdos vel-
let vendere aquam suam et ille
vellet emere eam pro [illegible]
[illegible] quod sit [illegible]
[illegible]
[illegible] valeret quantum [illegible]

[illegible] Si vero [illegible] vendere talia
[illegible] nullo [illegible]
ad emendum ut vendendum [illegible]
Si vero sacerdos [illegible] vende[re]
[illegible] baptizandi [illegible]
dicto [illegible] qui offert puerulum
[illegible] non intendens actum ipsum
[illegible] spiritualem et spiritualem [illegible]
[illegible] labore sacerdotis in actu bap-
tizandi [illegible]
[illegible] sacerdote ad ce-
lebrandum [illegible] ut ipse ven-
dat et alii [illegible] actum celebrans
[illegible] spiritualem [illegible]
[illegible] labore et alii [illegible]
[illegible]
pro labore [illegible]
[illegible]
ille [illegible] ad emendum
sacramentum [illegible]
[illegible]
quod [illegible] offerens puerulum ad baptismum
[illegible] quod non possit baptizare ut [illegible]
[illegible] quod non possit [illegible]
non [illegible] alii volentes bap[tizare]
et [illegible]
et non vellet sacerdos baptizare [illegible]
[illegible] pretium [illegible]
vel [illegible] aliud pretium [illegible]
quod tunc [illegible] de puerulo [illegible]
non [illegible] consentire [illegible]
[illegible] dimittat puerum
sine baptismo usque possit [illegible] aliud
[illegible] baptizare et ponat se ad devo-
tionem et ut [illegible] puerulo
baptismum [illegible] et [illegible]
[illegible] puerulo [illegible]
[illegible] offerentis et bona voluntas
[illegible] Deus [illegible]
[illegible] baptismus [illegible] offert
puerulo ita ut divina pietas
[illegible]
[illegible] id est per [illegible]

ad alia sacramenta [illegible]
[illegible] possit emere actum [illegible]
[illegible] non intendens emere actum illud
[illegible] spirituale sed intendens la-
bore [illegible]
[illegible] temporale [illegible] quod
non sit [illegible] baptismus
[illegible] quale non [illegible]
[illegible] spirituale [illegible]
[illegible]
[illegible] emptore et vendente
[illegible] emptor ille actus baptizandi non
[illegible] licite [illegible]
et nullo [illegible] sacerdotes vendentes
[illegible] actum peccant graviter et [illegible]
[illegible] vendunt [illegible]
[illegible] confessione [illegible]
facta [illegible] ad primam
et [illegible] aut [illegible] bapt[izat]
puerulum [illegible] intentione et
[illegible] puerulo [illegible] quantum
ad sacramentum [illegible] quantum ad effectum
[illegible] baptismi [illegible]
[illegible]
effectum et sacramentum [illegible]
[illegible] malo [illegible]
[illegible] baptismus aut [illegible] ut [illegible]
[illegible] et [illegible]
[illegible] et augustinum [illegible]
[illegible]
[illegible]
[illegible] dico quod
non [illegible]
et [illegible]
[illegible]
[illegible] sacramentum [illegible]
[illegible]
[illegible] et [illegible]
[illegible] baptismum [illegible] aliquid
[illegible] tenet illa [illegible]
[illegible] sacramentum [illegible] de
[illegible] eternam

[illegible] de quibus [illegible] speciales
[illegible] et [illegible] quia [illegible]
de [illegible] alia [illegible]
[illegible] absolvenda a
[illegible] ut [illegible] et [illegible]
[illegible] alia [illegible]
quod nec [illegible] sunt [illegible]
[illegible] quia non ad [illegible] ipse
[illegible] peccatum [illegible]
[illegible] peccatum [illegible] et [illegible]
[illegible] quod [illegible]
[illegible] tamen [illegible]
[illegible] homo sit peccatum [illegible]
[illegible] sunt declarata [illegible]
Dico ergo quod baptismus [illegible] volentium
ad salutem [illegible] expressio
quia [illegible] sed quod
[illegible] sunt
[illegible] ut ipse [illegible]
declaratum [illegible] veritate
declarando multum laboravit beatus
Augustinus in libris suis ut [illegible]
et contra donatistas [illegible]
[illegible] ita [illegible] apud [illegible]
non est baptismus [illegible] est
[illegible]
[illegible] venialis pec-
[illegible] id [illegible]
[illegible] regente [illegible]
[illegible] quod non [illegible]
non [illegible] baptismus non dat
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] cum [illegible]
[illegible]
[illegible]
quod [illegible]
[illegible] non [illegible] et
abbas Ioachim [illegible]
erronea [illegible] de [illegible]
[illegible] et fide [illegible]
non [illegible] quod non [illegible]

Nota

Nota

[illegible] facta

ꝯrat nec sperat nec sperat ꝙ hꝫ
ꝯtinuant no dr defendisse ꝗ
oes libros reliquisse sm̄ iudiciu
eius respondeas Sun͡t mouenda
et solvenda sut aliq dub͡a et est
aliqui tap̄ ecia ꝑmonez Et
est p̄dm dubiu circa veritate
bap̄mi requirat intencio in bap̄te
dico p̄mo ꝙ in bap̄te. cucio requirat
intencio circa actu que ꝯveret
ꝓbato qꝛ actus bap̄di dr circa actu
hu̅anu̅ ꝗ cu̅ eu̅ antecedat cio
dirigat actus hu̅anus ꝯtra ꝯmo fu
turus et casual sic ꝑ ꝓter in
tencione eu̅ puerlo cadet ad ꝯ
Sunt aliq intentio dei dr intio
ꝓpt̄ illa igit̄ Secundo dico ꝙ
no o̅ intio ꝙ bap̄ns ꝯsiderat
bap̄m intendat ꝓbap̄m ordi
nac̄ ecclesia et eius ꝑꝫ qꝛ cu̅
fidet ve bap̄t aut demus e pag
ꝯtrario et tn̄ i͡t cio intendit
bap̄no ordinac̄ ecclesie cu̅
nom̄ ꝯmo forte in ꝯgat veritati
eterna ꝑ hunt ecia Tercio dico
ꝙ in bap̄te intio requirit neto
ꝗ intendat bap̄d ꝓbap̄m ass
scribe secte xp̄ianoru̅ vl gna
liꝫ qua intendat fac̄e eta bap̄d
vl qd ecia xp̄ianoru̅ intendit
fac̄e circa suos bap̄dos quamuis
ecc̄ credat hec cuil valeat Et
illa intentio requirat ꝑꝫ qꝛ
ꝓt hec heretici ꝗ illā intenc̄oz
cio hnt cu̅ bl baptizat et ꝗ ca
hnt fides eccl̄ alios requisit ꝑ
vere baptizat quantu̅ ꝯside
les sunt et recedunt bap̄m
cuil valet Sed alligata ꝗ hic
ꝑsequit̄ et actus ꝗ ist̄ et elemen
ta no sut ordinata ad ipsu̅ ꝙ

secta solu ꝗ ꝑt ecc̄ ad alios
fines et eis adducas sit et ideo
ad ho ꝙ ordinet ad ipsu̅ oino ꝙ
facta sm̄ institucionem oꝫ tamen
intervenire intencioz ministri qua
intendat in actu no et elemento
illum effectu dare vl qd facit
ecia fac̄e Et aut aliquis possit
intende fac̄e eta bap̄n quod
ecia facit intendit eciam credo
ꝙ ad id valeat declaratio e ꝑ
ponu exm̄ et pi cam ponitur sm̄
que ego credo indico ꝓdictos
destinguit actus hu̅anus possu
intende sm̄ punctu astabze
secte iudeoru̅ ꝑ circu̅cisione et pos
su eta eu̅ fac̄e et intende id
ꝙ iudei intendunt fac̄e eta suos
circu̅cidendo eos liꝫ no credam
illi ꝑ ꝓd tradit̄ ꝓdictos ꝯpete ad ad
pelluie ꝯmo ecc̄ manifestu̅ post
publicacione bap̄mi sic ꝯsento
ꝗt scit intencio ad bap̄m et
requirit et illa precedit intencioz
ꝑma ꝑ Secundo ꝙ requirat intio
ꝑ ꝑ cu̅ est dum zm̄ cuil ꝑ ꝑ
requirat intencio sꝫ an ꝑ actu
alis Dr dr intencio ꝙ ꝗ e ac
tualis et e actus voluit dirigens
ꝯta duo qd intendit alia est
ꝯtinual et e habitus ad tale actu
ale intencioz virtus intinua et
qꝛ aliqd e ꝯmu̅ ꝑfecte intendis
ꝗ p̄mo et magis ꝑfecte qua zoo
et ꝗ Tercio ꝯmuit zas intenciones
media cuil dicitur duas ꝗ
aliqs in ꝑmo intendit celebrare
missa ꝑ ꝑ ꝑ e distractus no hꝫ
actuale intencioz ꝗ e distractus
ꝑ cio cu̅ actuar id in hꝫ tm̄
ꝯtinuale intencioz iam in ꝑ effect
in cosa et hebeat dependens

habet ergo medio modo inte
tocz et ma vocat ꝯtinual ꝑ t
qꝛ ie inmediate intencio actuali
habite facit oia ꝗ fiunt vir
tutes exiadire ita ꝙ illa i
tencio actual sit p̄mū ordina
no ad actus ꝑ hu̅ano
antecedens re ad ꝑm ꝙ
ex intencione hꝫ ꝑmis ordinant
ta ecia ad ipsu̅ fine ꝯsequens
cum ie ordinata nec ꝑ rogi
tat de isto iacobo circa dece
dend̄a eis semꝑ tn̄ ꝯtinuatu
ꝑ est ꝯtra actu qr ut hꝫ intencioz
illam ꝗ sut ad fine ꝑ
e ita p̄ma intencio ut hꝫ actus
aliquos sequentes ex ꝑ sit inte
rabo liꝫ no ꝑ actibus interueni
tent aliq actus distrahentes
cu̅ alia intencione p̄ma et ab
intencionibus ꝑꝑ ꝗ sut ad
fine ipsu̅ Sunt ꝑ forte aliqui
ꝑ macta sustipiendi ordina
tiona cio vl adducat intencioꝫ cu̅
ꝑm actuale qꝛ ꝑ ꝑ ꝑ
generand obsorbebat forte maꝫ
ꝑd cois ad ipsu̅ ista in ꝑfessio
generand erat ꝗ effectus declaratus
ex intencione secundi fidem dd
et ideo dud durabat pad semꝑ
durabat in intencio actua sꝫ cui
effectu Sunt ideo m̄ dico p̄mo
ꝙ in bap̄te cio sola ꝑt intencio
ꝯtinual ꝑꝫ qꝛ ꝑꝑ ista no dirit
actus cu̅ ꝯsiderit actus humanus
Et ꝗ non ꝑ ꝑ ꝑ hꝫ ꝯtinu
nate eu̅ ad fine ꝑ desiderand
ꝑ ꝑ no intendens fine
ꝗ liude no dr ꝯseq̄ui sanitate
ꝑ aliq actu humanu ꝑ casu
et fortuite no magis ꝑ non ha
buisset intencioz ad fine et
tn̄ actus bap̄di dr esse actus hu̅a
nus ut dictu̅ est Secundo dico ꝙ bap̄te

ordinac̄ cu̅ elemento et actu
bap̄di ad suu̅ effectu sucturas
scribat illud secte xp̄ianoru̅ vl
ut mea ꝑm facit qd ecia in
tendit fac̄e circa suos Sꝫ ꝑ solid
ꝯtinua cu̅ dirigat ordinac̄ ad
ipsu̅ effectu sut ꝗ cui no ꝑ ꝑ
intrate ꝗ liude ꝑ sonat cio dr
ordinasse ꝑ ꝑ infirmitate liꝫ
habuerit ꝯtinua desideria sani
ꝑ ꝑ Tercio dico ꝙ actual
intencio cio semꝑ e ꝯtinualiter
sit ꝯtinua ꝑꝫ qꝛ cio obligat de ut
habem ad ꝑ ut cui dist
in e cio distrahi Quia sm̄ aug
zo de lib̄o arbit̄o cio e in ꝑtate
circa ꝑ ꝑ ꝑ ꝑ et ꝑ
obligat ꝯsistere cu̅ actu ꝑ
exercendo actus a cio fac̄e
ꝯsiriendo cu̅ actus ꝗ e exce
lentissimus ꝑ ꝑ no obligat ꝑ
ad non distrahi cu̅ ꝑ intendes
celebrac̄ liꝫ ꝑ ꝑ ꝑ
secerio sit distractus certu ꝯsit
Sequitur ꝯcludo ꝙ ꝗt ꝑ
e ad aliquo in actuali intencio hu e ꝙ
aliquod hunt intencioz actuale
ex qua descendat actus bap̄di
sed cu̅ actu habeat actuale
sed alia ex ea descendente sed
non est necesse ꝙ descendat
actus bap̄di ab ꝑ intencione ac
tuali absꝫ ꝑ motu volunt̄
tunc ꝑ ꝑ ꝑ cui
ducent se ad missa intendat
celebrac̄ sm̄ ꝑ ꝑ eccl̄e et
ex hoc ꝑdit ꝯtinue missa fac
endo tn̄ no cu̅ magna distractio
ꝑ ꝗ ecia sut ad ipsu̅ actu
fac̄e ꝗ est ꝯsire ut ꝑ ꝑ ꝯ
tractus ꝑ ꝑ no habeat actu
ale intencionem ꝑ cogitet de alꝫ

Inspectet comune periculum homicidii
pena uel sic in uel est. Et eadem
ratione in illis ipse qui talis dat operam
rei illicite de qua redditur pericula quia
sit illicita et si contingat iniuria de
illa sequi. Quousque et prelatus
suos per quos possit fieri ratione ista
illicita. Quartum dubium an cum
baptismum omne recitat et alterum
ipso fiat dico primo quod si duo
unum baptizant ita quod unus unam
facit et alter aliud et unus dicit una
et alter ablutionem non est baptismus sed
alter rebaptizandus patet per Commentum
textum et magistrum sententiarum prima quibus
nos certum in baptismo perfectus ac
perfecte ablutio aut alterius cum esse
sed quod est forma sacramentorum. Mortem
Exemplum patet. Si sunt duo unus
omnibus et alter manus quorum unus sed
omnibus immergat et alter pronuntiat
non perficitur non est baptismus, quia actio
et actio sunt facta unum sed unius
facto ea quod sunt de sensu sacramenti
non dividuntur. Si tamen dividatur
id quod est de perfectione et unum
ministerium cum infirmitate
preveniatur dixisset hoc est aliquod
de perfectum dicendo recepi mecum
Sed de dico totam formam. Si autem
sunt duo baptizantes eundem quidem
totum facit vere baptizant ipso
duo facientes intelliguntur unum
effectum non diversificant tamen sed
ipsi formam eandem effectum unum
est effectus agentes non impedivit unum
concurrente contractum ipso quia
talis est et sola primi baptizantis
licet si alter eorum baptizantium non
concurreret alterius baptismus sufficeret, tamen

quia deus instituit quod unus sufficit ad
perficiendum totum baptismum vel sed baptisat
ille aut ab utroque totum accepit
quia primus cum aqua immergitur et una
dicunt et de eo ambo et de baptismo
recipit primo. Quintum dico quod si aliquis
sit plures aspergens et plures
et simul perficiens formam impli-
citam, ergo baptizo vos: baptismus sit
et tamen peccat mortaliter quia contra formam
formam sacramenti impositam a beatissimo
Christo sit tamen etiam quod statim
imminente omnium morte si sunt
singulos baptizaret sigillatim ad
est moriturus unus alius baptizaretur
et alius et ideo baptizaret hoc
patet per Augustinum qui dicit et habe-
bit [illegible] cum dicit multa
milia baptizando sequitur quod plures
simul baptizabant. Sextum quod creati-
tiones omnium sunt complete et effectum
tamen effectum non creavit set
si dicat ego baptizo nos sic facit. Et
aut tamen unum de pluralibus sacra-
mentis [illegible] sufficeret [illegible]
et ista forma ego baptizo vos a
pluribus moreretur etiam quod [illegible]
[illegible] fuit de [illegible]
[illegible] una ego baptizo te
sed de [illegible] sufficit in [illegible]
[illegible] voluntas [illegible]
[illegible] quia pluribus [illegible]
[illegible] salutis [illegible]
[illegible] concluderet [illegible]
salutis si non possit aliquis [illegible]
[illegible] baptismus necessaria si
[illegible] baptizare
illos [illegible]
de salute alterius [illegible]
Sextum dubium demonstro [illegible] 5um dubium
esse duo [illegible] baptizat [illegible] quod

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6

tempore [illegible] an sit per una simplicitas
duo tamen unus baptizetur. Dico
sed diligens inspectio circa inspectionem
per [illegible] corporis quia si sint
duo capita aut duo [illegible]
aut duo corda aut duo corpora super
coxas pedes unum quod illa non sunt
certa signa [illegible]
[illegible] sed
[illegible] signum dispensandi
[illegible] et voluntas. Si
[illegible] sunt duo [illegible] est [illegible]
[illegible] sit vel unam velle
[illegible] aut alia. Si ergo aliquis
deprehendi [illegible] possit [illegible]
[illegible] per [illegible]
[illegible] deprehenderet de sensu
et [illegible] possit deprehendi
[illegible] voluntas [illegible]
sit velle et nolle de [illegible]
dubitare [illegible] quod [illegible]
ibi duo [illegible] non per ibi
[illegible] adulto [illegible]
[illegible] fuisse [illegible] duo
capita quorum unum [illegible] de
nolle de [illegible] aliud velle
unum [illegible] et [illegible]
unum et [illegible] et [illegible]
et [illegible] aliud
clamabat [illegible] dico [illegible]
quod si certitudo [illegible] et [illegible]
[illegible] de quibus patet quod [illegible]
[illegible] disiunctas
personas [illegible]
[illegible]
formam [illegible]
[illegible] baptizari
[illegible]
ad [illegible] forma
[illegible]
[illegible]

[illegible] sed ad [illegible] sub
[illegible] forma [illegible]
Et de baptismo et eius effectu de
[illegible] dictum est. Septimum dubium 1m dubium
[illegible] baptismi et baptizandi
baptismus [illegible]
[illegible] expresse de baptismo et
eius effectu [illegible] debitum
et adducit [illegible]
[illegible] desperandum [illegible]
[illegible] voluit baptizari et
[illegible]
[illegible] dicit
[illegible]
baptizabitis [illegible] exprimit
[illegible] et [illegible]
[illegible]
[illegible] baptismus [illegible] baptismi
[illegible]
[illegible] alius
[illegible] et alius [illegible]
[illegible] alius est
[illegible] et alius [illegible]
[illegible] et patet quod nullus per baptismum
[illegible] Octavum dubium [illegible] 2m dubium
[illegible] baptismus [illegible]
baptizatorem [illegible]
[illegible] aut
[illegible] et [illegible]
[illegible] aqua
[illegible] possit attingere [illegible]
de ponte [illegible] fluvium [illegible]
[illegible]
[illegible]
[illegible]
[illegible] baptismo [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
salute [illegible]

magis est aspersionis et sic nulla
ratio est precauendi quod nullo modo debeat
offendendi. Dicitur etiam quod talis sic paruulus
non esset baptizatus quia baptismus est ablutio
ordinata ad totum ablutionem ut
sit ordinatur talis immersio quando non
est per immersionem sed per submersionem potius
esset ergo mirandum non immergeret
paruulum patrinus aut simus sub-
mittendo in puteum uel fluuium.
Si uero haberet uas in quo posset
aqua hauriri et de illo parum aque
exprimenda tunc quando baptizaret talis
dicit petrus de palude ualet sacramentum
dicit autem non esset baptizatus quia cum
utrumque baptismus est ablutio quod
autem abluit primo immergit secundum
totum uel partem et postea leuat quare
est immersio per quam mortem christi et ele-
uatio per quam resurrectionem christi quia per baptismum
consepelimur christo et morimur peccato
et resurgimus ad uitam spiritualem
secundum apostolum. Si autem per aspersionem iam dicendum
te immersio et ... plus
tizaretur non sit certa si ualeat
et forte uerius ut putat si paruulus
adultus baptizandus est ...
ciuitate constitutus ... maioris
... ... constantia
de ... ... per
baptizandum ... ... erronea
et sic ... gratia facit ... eam
peccauit grauiter quia secundum ... sanum
facit homicidium et si non baptizat
eum peccauit ... ... quia permittit
ipsum dampnari ... defectu baptismi
ubi uiuus posset. Si ergo ... ad
adest ... baptismi ... dependentiam
... erronea quia ... ...
... ... peccatum ...
... ... quia ista ... est
... ...

... grauiter ... parum aspergi
aqua in capite quod tamen licet sic non
in immersione ut sunt supradicta. Et
si est frigida ... facile tepida
non noceret quia paruuli tenerrimi pro-
medio balneantur aqua tepida.
Sed numquam baptismus in constantia ponita
erronea est ... si ... ...
sequitur ... ... quia nulla
lex ... ... reddat ...
... homicidium tamen ... ...
baptizandus ... ...
... ...
... ...
... dispensauerit ... ...
... ...
... ... puerum ... ...
... et ... ... puteum et
non habeat uas aptum ... posset
haurire aquam ... tamen ... ali-
quod ... et ... et ponit baptizandum
ad ... uas et demittat ... ...
... ad puteum et ... ...
... aqua dicat doctor ...
... ...
baptizetur et ... ...
... ... tangit
... ... baptizatus quia
... ...
... ... tangatur ...
... baptizaretur ... ...
... ... et ... ...
... ...
... et ita puer ... ad
puteum et submergeretur ...
... ...
et dubium ... ...
... paruuli iudeorum et infide-
lium sunt inuitis parentibus baptizandi
... ... paruuli iudeorum
et aliorum infidelium non debet

... ...
... baptizari quia aut post ... redde-
ret parentibus et tunc baptismus ...
esset ... ... fidei christiane
... ... parentibus ... ...
... ... non redderent parentibus
et tunc esset ... iniuria quia dum paruu-
li sunt parentes habent ius ...
... ... de media
... quia paruuli iudeorum et pa-
ganorum ... sunt inuitis parentibus
baptizandi et tamen ... ... autem
baptizati restituerent parentibus ... non
Si ... parentes eos nutrirent et
eos assuefacerent ad suos erro-
res et ad fidem christianam ...
... ut postquam essent adulti ...
... fidem christianam ...
... ... et ... parentibus
... quod esset ad ...
dei ... Si autem non
restituerent parentibus ... ...
quia parentes ... eos ...
... fieret christianum ... ...
... ... et ... ...
... ... quia ... liberi ar-
bitrii ... ...
... ... liberi arbitrii ...
... ...
... parentibus baptizari ...
quia principes ... ...
... ...
... ... paruulos ...
... ... eos ...
... ... et
... eos ... ...
et ... ...
... ...
... ... quod ...
... superior ... ...
... ...

... non obligat ... ...
... superiore. Sed ...
... ...
... ... et ...
... ...
... ... de salute ...
... baptismo non ... et ...
principes est ... ...
... ...
... paruulorum ... salute
... ... uolens hoc facere ...
hoc facere ... ...
... parentes ... ...
... ... pueros suos
et baptizatos faciat per ... principes
religiosos ... et ...
in fide ... ...
... ... est
... ...
... ...
... Si tamen ... uellet ...
plus ... ... non esset
permittendus ... ...
et ... esset ... ...
... ... et ... ...
... et ... ...
... ... Sed ...
... ... et ... ...
... uellet filiam ...
... ... spiritualis ...
peior et magis ... ...
... magis ...
... ...
adulteram ... ...
... ...
et ... ...
... et ... ...
... ...
... spiritualem non ergo illo ...
... salutis non exhibeat ...

Alius vero hostem tali voluntas ... [illegible]
... spiritualia ... et ...
... Si ... et ...
... loto ... multo magis
ipsi qui ... parentibus ...
... et ...
... religiose esset ...
adulti ... baptismum ...
... baptismum et ...
... esto ...
... non ... fideles ...
... mala ... non posse
... legem ... illicitam ...

[illegible]

aliquis providendo quando sit faciendum
in alia vel ex [illegible] omne sit mutua
cum partu et fetus reddat [illegible]
[illegible] per primum omne ut appareat
caput fetus quod [illegible] ablutionem secundum
modum predictum dicitur [illegible] minuta
obstat [illegible] (ex negante q
incipit detestanda / Tertium dubium
est faciendum sit de puello exposito
duo si invenerint in eo signata
quod non est baptizatus per infidelem
pervenerit in eo apponenda sal per
non desperandum ad baptismum nec aliquis
hesitare baptizatum est [illegible] dicit
non invenitur in eo [illegible]
[illegible] testimonium fide
dignum quod sit baptizatus sit baptizatus
est [illegible] vel tali
ex de baptismo et eius effectu de
quibus dubium est [illegible]
[illegible]
[illegible]
[illegible] quibus [illegible]
baptizati docerent agendum est ut [illegible]
[illegible]
[illegible]
iteratum [illegible] dubium [illegible]
[illegible]
[illegible]
[illegible] pueros [illegible]
[illegible]
[illegible]
[illegible] baptizati
[illegible] ablatus
aliunde de aliena [illegible] et dubium
est an sit baptizatus [illegible]
esse faciendum secundum [illegible] baptismo
[illegible] probabile est quod
[illegible] affirmat [illegible]

Tertium dubium

[illegible] mirabiliter differunt et faciunt [illegible]
[illegible] de alta
[illegible] baptizatus [illegible]
[illegible] baptizatus et [illegible]
baptizatus [illegible] baptizatus [illegible] Quartum dubium
ponatur quod [illegible] intendat baptizare ma-
sculum et sit [illegible] sibi ablatus
femella [illegible] puer sit
baptizatus [illegible] sit [illegible]
dos sit [illegible] et habeat duos [illegible]
[illegible] et [illegible] et [illegible]
ex aliqua causa [illegible] baptizare et
[illegible] et [illegible] isti [illegible] et
decipiunt sacerdotem et [illegible]
hoc offerent sacerdoti [illegible]
[illegible] isti
[illegible] baptizati [illegible] quod et
femella et [illegible] baptizati et
[illegible] dubitat
benedicere [illegible] benedixit [illegible] Jacob
[illegible] benedixit [illegible]
dixi [illegible] benedictus et [illegible]
[illegible] intentionem suam [illegible]
[illegible] tenebat [illegible]
[illegible] ut crederet [illegible]
[illegible] baptismum
ut sacerdos intendat baptizare
[illegible]
[illegible] masculum et [illegible]
femella [illegible] baptizatus est et
[illegible] petrus et [illegible]
[illegible] baptizatus est [illegible]
[illegible] oblatum [illegible]
[illegible]
est [illegible] masculinum [illegible]
femella et [illegible]
de [illegible] baptismi [illegible]
[illegible] Quintum dubium
dubium sit [illegible] sacerdos [illegible]

Quintum dubium

intendat [illegible] puerum baptizare
et offerunt sibi duo [illegible]
[illegible] quam alterum
[illegible] intendat
[illegible] intendat
[illegible] baptizare [illegible] puerum
offerendum [illegible]
quod puer [illegible] et crederet
quod [illegible] et [illegible]
duo et [illegible]
utrumque et dicat [illegible] baptizo te et
[illegible] dubium [illegible] utrumque baptizatus
sit [illegible]
[illegible] baptizatus
[illegible] in forma [illegible]
ad ambos [illegible] baptizatus
baptizatus [illegible] baptizatus [illegible]
[illegible]
ad [illegible]
non [illegible] tangeret [illegible]
[illegible]
[illegible] baptizatus
et [illegible]
valde [illegible]
dubium est [illegible] Sextum dubium
est de qualitate karacteris [illegible] quod
karacter [illegible]
[illegible]
[illegible]
karacter [illegible] karacter
[illegible]
[illegible]
[illegible]
quasi [illegible] karacteres [illegible]
[illegible] karacteres [illegible]
logia [illegible] dubio [illegible]
[illegible]
et [illegible] doctorum [illegible]

karacterque

dicunt karacterem esse quandam [illegible]
[illegible]
[illegible]
[illegible] distincta [illegible]
[illegible]
[illegible] doctores karacter est [illegible]
[illegible]
[illegible]
[illegible] dispositionem [illegible]
contrariam [illegible]
[illegible] baptismus
[illegible] imprimit karac-
terem [illegible]
[illegible]
[illegible]
[illegible]
[illegible] karacter [illegible]
[illegible]
[illegible]
[illegible] institutione [illegible]
[illegible]
[illegible]
ponendi [illegible]
[illegible]
[illegible]
de karactere [illegible]
[illegible] auctores
karacter [illegible]
[illegible] baptismum [illegible]
precepto [illegible]
[illegible]
[illegible]
[illegible] karacter [illegible]
[illegible] imprimeret karacterem [illegible]
[illegible]
quo ad divinam institutionem [illegible]
[illegible]
[illegible] karacter
[illegible]
[illegible] reddit [illegible]

illa que sunt explicite descripta fidei sed exigit et continentur in scriptura sed exigit et sunt manifeste licita excedit. Non tamen repugnat articulis idem forma hec quia describit caracterem repugnat dicto idem forma communiter premisse. Sed nec omnino frustra et sine auctoritate ponitur quia aliqua auctoritas hec non admittitur ponens idem et adducit aliquas quas solvit et tandem concludit quod propter solam auctoritatem ecclesie quam non sit certum esse ponendum caracterem. Amplius quod sentiendum quod de sacramentis ecclesie sic sentit Romana ecclesia sicut habetur extra de heretici sed ab abolendam. Romana autem ecclesia caracterem sentit impressum esse in baptismo sicut dicitur in inmoteciis 39 extra de baptismo et eius effectu capitulo Maiores. Cum autem accedit ad baptismum caracterem suscipit christianitatis impressum sed et ficte sine devotione non caracterem susceperit impressit ergo nonobstante quod sit contrarie voluntatis obsistente. Et nota descriptio caracteris de quo sit modo per prius aliqua ponere realem impressum in suscipiente baptismum aliud agere et operantibus etc. Neque ponere realem respectu per prius caracterem si ponit formaliter. Cum formam absolutam realem vel respectivam quod in quibusdam sacramentis absolutam salutem per. Sed ipse opponitur quod sit solum respectus realis non fundatum cum voluntas sponte alicui ipsa ut a potentia volitiva et quia iste respectus fit relatio secundum multos non est aliud disputata a suo fundamento et a terminis relatis. Et ideo dicitur quod caracter non sit aliud quam homo utique ut habet impositionem diuinitus ordinatum hic Christum voluisse eius condictionis

videlicet quod ipse voluit quod illius respectu realis sit realis distinctus a suo fundamento et a terminis relatis sunt respectivus secundum alia metaphysicalia et logicalia et non bonas ad probandum caracterem non est ponendum saltem quantum realem ut post in opus dicto et non dixi huius tertii questione dictis si placet. Et non quecumque ratio opinionum veritati sit adhuc tamen videndum est quod in baptismo et in certis aliis sacramentis imprimitur caracter et quibus oppinionibus hoc creditur licet quibus revocat hec ad presens secundum. Sed quod preter illa tria per caracterem imprimentia que non iteratur dicuntur. Notatur ita quod ut dictum est caracter est signum quasi fidei cum fidei quorumlibet statum fidei. Tres autem ut dicit sunt status fidei scilicet genite roborate et communi multiplicate et secundum hec attendi possunt distinctionis bonorum communis rationem abunsitur et electionem aliorum quod cum tamen tria sunt sacramenta quod respondent statui fidei. Per baptismum generatur quod sicut fides gignitur. Confirmatione autem quia in fides roborat et ut pugil convenitur homo ad pugnandum contra hostes fidei ut dicitur. Et ordine etiam quia in vitis multimode datur Christo ut pro administracione dicitur preparatur et in illis tribus tamen imprimitur caracterem. Tamen quomodo aliqua et quod non iteratur declarat per exemplum anthonomis politicis quibus ut tertius distinguitur per gradum et familia regis qui accedat et mensa et nunc dicitur ut solent. Et quod post offensam reconciliatur et redeuntem ad gratiam de offensa

Vel quod multiplicat personas de alia policia ut concessioni ipsi in actus perit et concedat cuiuscumque gradum. Sed aliud gradum vel aliquis etiam recipit in familiam domini et aliud quod altius preferat quod constituit ut milites ad defendendum dominum et regnum pugnam et iterum aliud et ulteriorem quam constituit tamquam prepositum ad recipiendum alios in familiam et ad instruendum alios quo placeant domino sic etiam in proposito quod tria sacramenta scilicet ordinata ad conservacionem spiritualis status et ad perfectionem pariter ad regulacionem in nullo certo gradu constituit aliquem in eclesia quam prius et coniunctum ei membro esse in quocumque gradu secundum gradum in ecclesia et nobilissimum recipi in familiam Christi quod fit in baptismo. Et specialiter constitui militem ad defensionem fidei christiane quod fit in confirmatione. Et constitui presbiterem et pastorem ad introducendum alios ad ecclesiam et ad instruendum et dirigendum alios in ecclesia quod sit in ordine. Et per impollicitationem tria sacramenta sunt dignitatis ut recipiendum in familiarem primo ad militiam et placentiam ad doctrinam. Unde in iteratione multo peccato et reconciliato ita in positione illa tria sacramenta non licet iterare sed ab his desistere erit in futurum ut de eo dicitur lex. Nunc de sacramentis eidem

de cathecismo

scilicet cathecismum et exorcismum de quibus predicte baptismum ante hec baptismus. Et quod in minimis etc. Et si tunc puerulus supervenit quod post supplendum quod prius omnino fuit obmissum de cathecismo quod agit precede baptismum potest spectando. Hoc ideo debet datus eorum quibus baptismus eius

Sed inchoant exorcisti docendi quod baptizandi volentes se quod doctrina fidei predicte. Exorcismo potest autem relinqui propter quod sunt parvuli sed innocentes omnis ad baptismum ante fontem ante peccatis adeat quod exorcismis et exsufflacionibus productum ipsum ante omnes alienat ut habetur de consecratione distinctione quarta. Et sic de cathecismo quod adultos quod in baptismo sit obligatus ad observantiam fidei et alterius quod ad fidem pertinet in genere ut adulti baptizandi operantur saltem originali ea que sunt fidei ut profiteantur ad fidem et ut sciente et volens eos se obligent ad eorum observantiam et id fit in cathecismo. Et sic cathecismus consuetudo de gestibus actionis fidei quod in doctrina fidei sunt communia que quorum est sine ad salutem ut sunt articuli et decem mandata passiones et adventus ad iudicium. Alia autem sunt subtiliora eadem magis tenent eos constitutio et ego de quibus questionem est sine eo cathecismi. Et quod denique dissentiunt quod instrumenta fidei et doctrina et integra gratia fidei quod est sine nona distinctione. Et cum generaliter sit baptismo parvulorum permittitur cathecismum quod potest prius omissum cumitate ut plus eos baptizati baptizare per personam effectum recipiunt. Sed licet parvuli non possint instrui possunt tamen per patrinos obligari ad ea que sunt fidei. Et dicit Bonaventura quod de illis adhuc eos tenent hoc est in genere si alius aliud obligat

sequitur de cyrographis atque contenentur.
Secundo [illegible] pueri patrinus
dicitur credo vel in ecclesiam catholicam
quoniam fidem confessionem ut exponit
[illegible] credo vel operacio vitae
[illegible] credat ut dicitur Quarto credo vel sacramentum fidei pro se
accipere et exponit augustinus
sed patrinus promittit per dationem
exponere ut puer credat [illegible]
obligatus est administrare pueri
quod grave est patrinus [illegible]
re alias absolvit Septimo quod
non est magnum periculum [illegible]
[illegible] quod parentes [illegible]
sunt christiani et sic probatur [illegible]
quod [illegible] in fide et
[illegible] et plures alii quibus
[illegible] sunt impium
[illegible] infidelibus in fide
[illegible] diligenter
adhibenda sunt [illegible]
[illegible] parentes quando
fideles [illegible]
[illegible] infideles [illegible]
Nunc de exorcismo quod [illegible]
baptismum precedit [illegible]
[illegible]
propterea impedimentum [illegible]
[illegible]
[illegible] baptismum [illegible]
[illegible]
[illegible]
[illegible]
exorcismus [illegible]
[illegible]
[illegible] expellat et [illegible]
[illegible] et signum crucis [illegible]
et in fronte ut demon [illegible]
[illegible] tamen [illegible]
quia [illegible]

exorcismus

more ponit ut [illegible]
[illegible]
[illegible] exorcismus
[illegible] confessione
[illegible] Septimo circa [illegible]
[illegible] contra repugnanciam
[illegible]
[illegible]
et non est exorcismus [illegible]
non est [illegible] spirituale [illegible]
[illegible]
[illegible]
[illegible] spiritualis [illegible]
[illegible]
[illegible] pueri
obligetur [illegible] patrinus [illegible]
[illegible]
[illegible]
[illegible] obligant pueri [illegible]
Secundo [illegible] parentes [illegible]
quod [illegible] religione [illegible]
obligetur [illegible]
Septimo [illegible] quod pueri [illegible]
obligat [illegible]
[illegible]
[illegible] religionis
Secundo [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
supererogatur [illegible]
[illegible] obligatur
[illegible] baptismi
[illegible]
quod [illegible] obligatur [illegible]
[illegible] et [illegible]
[illegible]

augustinus [illegible] contra [illegible]
si totum [illegible] et [illegible]
est Quarto [illegible] baptismi
[illegible] si totum [illegible] non
est baptismus [illegible] non imploracio [illegible]
[illegible] auxilium [illegible]
rebaptizatur [illegible] certi
[illegible] et habemus [illegible]
non oportet [illegible]
[illegible] hugo [illegible] non [illegible]
dit intencionem [illegible] Secundum
[illegible] nolle [illegible] et [illegible]
baptismum et excludit [illegible]
[illegible] velle [illegible] et
[illegible] et [illegible] quod
[illegible] intencionem [illegible] baptismi
et faciendi [illegible]
[illegible] [illegible] non [illegible]
[illegible] baptismum [illegible]
[illegible] est [illegible]
[illegible] si [illegible] non [illegible] baptizatus
[illegible]
[illegible]
quod puer [illegible]
[illegible] baptizatur [illegible]
[illegible]
[illegible] rebaptizatur [illegible]
[illegible] et [illegible] supervenit
et [illegible]
[illegible]
intencionem et [illegible] defuit
rebaptizatur [illegible] intencionem
et signum [illegible] baptismum
[illegible] Septimo [illegible]
debent [illegible]
ad baptismum Septimo quod [illegible]
ad efficaciam [illegible]
[illegible]
[illegible] ad [illegible]

[illegible] tempora [illegible]
pasce et [illegible]
sit [illegible] celebrato baptismi
[illegible] Secundo [illegible] baptismus est
[illegible] efficacia [illegible]
[illegible] baptismus [illegible]
celebrat [illegible]
[illegible] pasce
et [illegible]
[illegible] Secundo [illegible] efficacia [illegible]
[illegible] baptismi
[illegible] solempnis
celebratur [illegible] 1a [illegible]
tempora deputata [illegible]
[illegible] et [illegible]
[illegible] tempora [illegible]
[illegible]
[illegible]

Circa septimum [illegible]
[illegible] confir/
macionis [illegible]
[illegible] constitutum [illegible]
non [illegible] non habet
confirmacionis [illegible]
constitutum [illegible]
habet [illegible] 19
Secundo [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible] confirmato [illegible] baptismi
[illegible] habet [illegible]
baptismi [illegible]
[illegible] facta [illegible]
[illegible] constitutum
Secundo est primo [illegible]
baptismi [illegible] positam [illegible]
[illegible] Septimo [illegible]
confirmacionis [illegible]

de confirmacione

quid sit confirmacio

creatus aliqualiter consentiens suo libero
arbitrio cum ipsi facta in fronte
figura crucis cum crismate signato et
hac ministro idoneo sit tamen mediate
dicta concurrente et non fere[n]te ecclesia
signis efficatiis ex institutione divina
convenit esse [illegible] roborate ad
consistendum in fiducia fidem Christi Hic
patet quod sit causa huius sacramenti Est enim

causa propinqua unctio facta in fronte
cum signo crucis cum crismate confecto sit
ab episcopo causa propinqua et ablutio
unctio et signi [illegible] ab episcopo
ad cuius [illegible] sepulture potest committi

forma est talis signo te signo crucis et confirmo te
signo crucis confirmo te crismate sa-
lutis in nomine patris et filii et spiritus sancti amen. Debitum
susceptum est homo creatus aliqualiter
consentiens si sit adultus Et si dissentit
contradicit non sit debitum est de baptismo
Vel si non sit adultus libero arbitrio
cum usus et percipit non indebita
[illegible] quod dicit [illegible] minister
est episcopus et alter non committi potest tamen
dicitur originali ministro idoneo Et
ex parte ministri requiritur [illegible]
sacerdos [illegible] secundum canones
et [illegible] forme et [illegible] debita in-
tentio [illegible] [illegible] potest expo-
ni est de ministro in baptismo Item
dicitur signis efficacibus ex institutione divina
sicut de baptismo ut descriptio originali
debitum est Ultimo ponitur effectus sacramenti
quod est animo eius [illegible] roborate
ad illud firmiter ut quis stabiliter consi-
steat fidem orthodoxam Contra

divina confirmatio est sacramentum non le-
ge institutum et traditum ecclesie a Christo
divina patet quia cum sit sacramentum nove non
[illegible] sacramenta [illegible] est contra premissa
dicta quia non aliud possit poni loco co[n]-

firmatio Item si quod sacramentum non le-
gis est cum Christus [illegible] [illegible] formam ut
[illegible] [illegible] [illegible] [illegible] [illegible]
in toto et confirmationi ut [illegible]
premissa Contra patet quia legitur 19 capitulo
parvulos manus imposuit et id sacramentum
ibi exercuit et [illegible] [illegible] insufflavit
et dedit [illegible] sancti Et actis 2° capitulo
[illegible] [illegible] [illegible] [illegible] confirma-
bant sicut Christus sacramentum confirmatio
instituit et in ponendo manus [illegible]
exercuit Et hoc quod aliqui dicunt
institutione huius sacramenti alii opinati
sunt quod non dixerunt quod sacramentum in-
stitutum [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible] De [illegible]
[illegible] [illegible] [illegible] ubi dicitur [illegible] [illegible]

[illegible] [illegible] confirmatio [illegible] [illegible]
crismatis Alii dixerunt quod ab apostolis
est institutum et forte ex hoc mo-
verunt quia [illegible] [illegible] [illegible] sit manus
impositio sacramentum [illegible] [illegible]
ab aliis quod ab apostolis [illegible] [illegible]
sacramentum esse Sed contra [illegible] [illegible]
[illegible] quia non ecclesia posset [illegible]
[illegible] sacramenta nova quod est [illegible] [illegible]
[illegible] legis [illegible] [illegible] [illegible]
[illegible] ecclesie [illegible] [illegible] factores legis
[illegible] [illegible] ministri Et contra [illegible] [illegible]
quia quantis [illegible] [illegible] [illegible] ecclesie
[illegible] [illegible] [illegible] [illegible] legislatores et
[illegible] non [illegible] legem in-
stitui [illegible] sacramenta Et [illegible] contra
[illegible] [illegible] allegata Dicit quod Christus
instituit ut [illegible] dicit 2a parte glosa
[illegible] quod apostoli quando non [illegible]
non instituerunt hoc sacramentum tamen ex-
[illegible] et formam [illegible] [illegible]
[illegible] actis 8° [illegible] quod apostoli impone-
bant manus [illegible] et [illegible] [illegible] [illegible] sacramentum

[illegible] et esse sacramentum declarando
precepit et [illegible] docuit [illegible]
[illegible] decretis et decretalibus [illegible]
[illegible] [illegible] [illegible] [illegible]
dicitur quod non illud sacramentum dignius
[illegible] videtur [illegible] [illegible] quod baptisma
excedit alia [illegible] efficacia quia tollit
[illegible] culpam et penam Eukaristia [illegible]
[illegible] excedit [illegible] [illegible] [illegible]
[illegible] Confirmatio excedit [illegible]
[illegible] quia [illegible] [illegible] ut
dicitur [illegible] et [illegible] [illegible] [illegible] ex-
cedit [illegible] statum quia ordinatis [illegible]
dignitatem statum [illegible] potest
[illegible] excedit [illegible] [illegible] quia sit
maxime [illegible] [illegible] [illegible] [illegible]
[illegible] divine et humane [illegible] ex-
cedit [illegible] statum [illegible] [illegible]
[illegible] est [illegible] [illegible] [illegible] offendit Et
[illegible] [illegible] [illegible] [illegible] baptismus est
nobilius sacramentum quam confirmatio
[illegible] denobiliter sacramenti [illegible] [illegible]
[illegible] [illegible] [illegible] est [illegible] collata
Nam baptismus [illegible] gratiam et
[illegible] effectus [illegible] quia [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible] con-
firmatio addit baptismo [illegible]
[illegible] collata [illegible] confirmationem [illegible]
[illegible] baptismi [illegible] est quod baptismus
[illegible] baptismus [illegible] [illegible] [illegible] [illegible]
confirmatus Et [illegible] baptismus
[illegible] [illegible] et [illegible] [illegible] est
[illegible] confirmatio [illegible] [illegible] est [illegible]
[illegible] ministri quia [illegible] [illegible]
[illegible] [illegible] hac [illegible] [illegible] est [illegible]
[illegible] [illegible] nobiliter [illegible] [illegible] [illegible]
baptismi [illegible] pluribus ministris [illegible]
[illegible] Secunda glosa [illegible] soli
episcopi [illegible] huius sacramenti ministri [illegible]
[illegible] [illegible] [illegible] ecclesie statum

aliquando [illegible] sacerdote [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] [illegible] ubi dicit
quod ab aliis [illegible] [illegible] [illegible] [illegible] [illegible]
sacerdotibus [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ab aliis
[illegible] [illegible] [illegible] ab aliis [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] habeat et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] sacramenta
[illegible] [illegible] episcopi [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] sacerdotes [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] manus et [illegible] [illegible]
[illegible] [illegible] [illegible] hoc [illegible]
[illegible] ut [illegible] [illegible] et glosa
actis 8uo hec autem impositio ma-
nuum [illegible] confirmatio [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] sacra-
menta [illegible] [illegible] [illegible] [illegible]
Unde Hugo dicit manus impositio
[illegible] [illegible] [illegible] confirmatio appel-
latur [illegible] [illegible] quia [illegible] [illegible] [illegible]
sacerdoti [illegible] [illegible] confirmandi
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] pervenit
ad nos [illegible] scandalizatos quia
[illegible] crismate [illegible] [illegible] [illegible]
baptizati [illegible] prohibuimus eosdem
[illegible] [illegible] [illegible] [illegible] ecclesie [illegible]
[illegible] [illegible] [illegible] [illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
in fronte baptizatos crismate
[illegible] [illegible] Est [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
crismate [illegible] scandalum

Margin notes (red): causa [illegible] — forma — debitum — [illegible] — 2a glosa

ipsi. Sed contra illud est textus prophetie
tu dicat ibi ut allegatum est in
fronte crismate tangere debeat quod
tradimus. Item hoc gessit propter scandalum
tunc erant quidam scandalizati
et si gessisset de solo puro oleo
credentes quod fieret crismate et similiter
contra veritatem. Doctrine super sigre
dare posuit laudatum per illa. Item
tunc illud ipsum minus facte defrau
dasset quod omnino non est credendum
de sancto gregorio. Alii dicunt quod propter
scandalum vitandum gessit illius
sacerdotibus confirmare et magis te
nuisset licet non posset de facto nec
credebat quod huius confirmatio va
leret si alias valet quia utilius scanda
lum fieri permittitur quam veritas relin
quitur. Ex decretum omnes et maxime
a prelato qui nullo modo debet offendere
eo animo quod non inveniret eos cum
[illegible] inchoat confessione peccasset inde
libri [illegible]. Si gessisset de facto quod
non potuisset dominus et permisisset
sacerdotibus occasione ponendi scilicet
faciendi quod non licebat eis facere
et si ipso recipiendi a quibus non
poterant recipere. Alii dicunt ut
Clandolfus quod Gregorius dicit ipsius sancti
et sublimaverit erat quo ad actum
ipsum confirmandi fecit episcopos utrosque
quibus etiam ex ordine operatur
post inchoat parte collato confirmabat
[illegible] at ille doctor. Operari alii
[illegible] alio ordine sacerdotum super fre
mare competit domini ex ordine nec
ergo ex confessione precepit illi sacerdotes
[illegible] confirmabat quo aliter ordine
operatur. Et cum hoc [illegible] episcopus
ex ordine pro eo quod si tamen ex dictis

dictum possit committi laycis vel saltem
confessio electo quod est plenius utrum per
multa dicta que allegantur docetur
Sed non presbiteris sacerdotes ex auctoritate
et non ex confessione confirmare
nec apertum est contextu Gregorii de gradu
ibi ergo dicitur per in xa pertineret
dicendo est scilicet quod ipse per committendo ad
ministrationem huius sacramenti non presbitero
Et hoc declarat petrus aureolus super
et dicit quod potestas quedam ad propositum
ipsum est ex forma ordinis presbiteratus ordinis
ministratus 3a conventum ex hoc sit
per exemplum primi potestas conficiendi corpus
christi exemplum ei potestas exequendi exem
plum ut potestas audiendi confessiones
et ministrandi confirmationis nec solus
potestatem ordinis vel committi potestas
ministrationis. Sed confirmatio et potestas
annexa ex potestate ministrandi et
ordinis sed tamen potestate ordinis
vel committi potestas confirmatio. Sed
constat quod quibus sacerdotibus confe
rantur cum ordinis simplicis si committi
potestas ministrandi et potestas confirmare
Sed sine cum vel potestas quod non sit
alius actus specialis et sacerdotalis
Et si est alius quod tunc potestas ministran
di confirmationem requirit caracterem
sacerdotalem et ministerium per potestas
absolutionis Et quod non omnino precl
arat actum episcopalem per dictas ordinis
pro loco suo dispositis videlicet ex
Sed contra aliqua predicta obiicitur
et primo quia omnis quod illa sit materia
et forma cuius sacramenti de qua debet esse
modo cum christus non invenitur scilicet
instituisse nec apostoli confirmando
usi sunt tali forma utique materia apo
stolus ubi legitur solo tactu manuum

compositione confirmasse ut actus
Secundo non est crisma eius materia confecta
tamen quia non in baptismo materia est
aqua consecrata sicut in quacumque
elementis. Secundo christus non precepit
confirmationem igitur non videtur
esse sacramentum in [illegible] sacramentum nove legis.
Ad ista et primum dicitur breviter quod
christus non allegavit potentiam suam
sacramentis et ideo ipse solum materiam
tradidit exemplo per assumptionem
fuit apostolos confirmare sine debita
et forma Sed in apostolis et aliquando
etiam potuit dispensare et maxime
quia in confirmatione alias tollata
erant signa spiritus sancti super quibus de
scendebat spiritus super confirmatos in
signo nisi exequi cum visibilia
super eos assumptis ad dona visibilia
ministri debuerunt hominem materiam
crismatis et habere formam suam
Supponendo nunc illa data fuisse a
spiritu sancto tempore et omnia hominis
constituta in scriptura non leguntur
expresse quia hystoria scriptura
usque ad tempus illud non perduxerunt
Non nisi perduxerunt ultra tempus apostolo
rum et ultra potest credi
modo eorum toto autem tempore apostolorum
forte manifestum dominus legerunt
per confirmationis. Ultima est re
dita sub expresso et apostolos et omnia
leguntur in scriptura per firmamentum
quibus confirmavit [illegible] mandatum
[illegible] et nullo loco quod christus aliquando
confirmaret corpus suum levaret actus
miraculum cum non hoc fecisse re
demptus actus etiam dicitur plenum
materia consecrationem corporis christi. Dicit
ergo dominus [illegible] sed ergo
Multos ritus servat autem etiam

qui licet in scriptura non inveniuntur
autem consuetudine instituti in potestas
spiritus instituit et revelavit sancti
de condimento crucis adoratione
adorationem multis quo plures dominicam
de materia sacerdotum quod sub po
testate sancti remedia per
cum dicitur quod christus contactu sue
carnis contulisse vim aquam
operavit in opus baptismi per
aut materia est confirmationis
et in requiritur specialis sanctificatio
quod est etiam se voluntas
ergo baptismi est sacramentum
et in per aquam omnium
fieri et eo sed quod in aqua non
consecrata aliqua vi aque
et non posset esse omnis et
impediret per aliquam multorum
sua remota confirmationis et
crisma temperatum ab eo
et id habet plene in effectu huius
sacramenti. Consistit ex oleo et
balsamo oleum autem habet nitorem
et super eminet ceteris liquoribus
et est etiam conveniens propter per
captivitatem et candorem valido
sit candore et balsamum habet
iam odorem et post bonam
formam unde id Dicitur 2o corinthiorum
bonum odor sumus deo et bal
samum est contra antiquam
condimenti ac putrefactione
incorruptionem sicut galli quo
materia ex oleo et balsamo
sed quod confirmatis est necessi
tatem et candorem et bonam fa
mam quod sit ipsa cum aliqua
attenta confirmato prodesse in
prima Ad 2m dicitur sancti thome quod
christus non recepit hoc sacramentum quia

[illegible]

[illegible]

xm [illegible]

[illegible]

[illegible]

Sed aliter d[icit] Scotus q[uod] nulla pena
contenta q[ue] n[on] e[st] inflicta a[b]s[que]
concedente ... [illegible]
... acta expositum ...
... [illegible]
... pena ... [illegible]
... expone ... conditum ...
... expositores
... et Innocentius ... passa
[illegible]

prima conclusio

creatores materie delectate fratres
corporis Christi et sanguinis sacramentaliter
contineri. Premisso premisso quod locutio
communis in ecclesia militante est hec
facta cultus [illegible] ea usque ad consumma-
tionem seculi duraturus. Illa locutio
quia paucis et [illegible] paucis
primo cum [illegible] Christi in-
stituit hoc sacramentum ut subsisteret
his [illegible] tempore et [illegible]
[illegible] et [illegible] tunc [illegible] Christo
[illegible] hoc sacramentum ipsis
debitis in ecclesia conferre et quod
dicit [illegible] presidens [illegible] hoc
facite in meam commemorationem. Quidem
[illegible] et [illegible]
apostolis [illegible] diffusive dominus
[illegible] et [illegible] huius sacramenti
[illegible] ut [illegible] sacerdotes
sacerdotes [illegible] principaliter [illegible]
[illegible] illud sacramentum sit perpetuum
etiam hoc est usque ad consummationem
seculi duraturus [illegible]
[illegible] suo [illegible] et [illegible]
[illegible] ordinem domini [illegible]
donec veniat [illegible] ad iudicandum
usque ad tunc durabit etiam militie
et [illegible] circa [illegible]
[illegible] et [illegible] quod [illegible]
[illegible] id quod dixit Christus [illegible] Ecce
ego vobiscum sum omnibus diebus
usque ad consummationem seculi [illegible]
[illegible] et [illegible] presentia
Christi in ecclesia perfecta [illegible] quod
[illegible] et plenum [illegible]
inde [illegible] conclusio [illegible]
[illegible] quod est Christum nobiscum
esse in illo sacramento [illegible]
[illegible] quibus [illegible] et
devotionem [illegible] Christum et [illegible]
[illegible] et [illegible] devotio in ecclesia
est in [illegible] ad id sacramentum [illegible]

cum clerus maior reverentia [illegible]
ut dominus [illegible] mortis [illegible]
sacramentum [illegible] hoc et devotius [illegible]
[illegible] quia ad [illegible]
[illegible] hoc [illegible] et [illegible]
et diligenter [illegible] cum [illegible]
[illegible] ordinatorem [illegible] saltem semel
in anno [illegible] [illegible] sunt
[illegible] spirituales [illegible]
[illegible] nobis [illegible] spirituale
et id magis [illegible] dat sub-
stantiam [illegible] [illegible]
aut corporale [illegible] [illegible]
[illegible] et [illegible] sunt ut
[illegible] [illegible] deus [illegible] nobis
voluit [illegible] ordine [illegible]
alia omnia [illegible] excellenti [illegible]
[illegible] sacerdote [illegible]
aliud [illegible] qui [illegible]
est Christus et qui non est [illegible]
[illegible] et devotio [illegible]
[illegible] Christus est et [illegible]
sua usque ad consummationem seculi [illegible]
[illegible] et cum ut [illegible]
idem Christus [illegible] et [illegible]
[illegible] [illegible] totaliter [illegible]
[illegible] et salute [illegible]
[illegible] repugnat
ut ipse Christus est [illegible] ad dexteram dei
patris et [illegible] realiter [illegible]
[illegible] ad finem [illegible] ipse est
[illegible] et [illegible]
[illegible] ad salutem [illegible] sufficit [illegible]
[illegible] magna [illegible]
[illegible] et [illegible] fuisse
[illegible] passum et [illegible] salute
[illegible] hoc [illegible] et
[illegible] voluit [illegible]
[illegible] usque ad consummationem
seculi ut [illegible] commode [illegible]

[illegible] et ut [illegible] gratiam eius
suis fidelibus [illegible] habundantius
[illegible] et largiretur. Item omnis
legalis [illegible] hominum [illegible] et [illegible]
[illegible] semper aliquid adorare et
[illegible] aliquid [illegible]
[illegible] et instinctu hominum
est ad hoc ut [illegible] de mirabili
[illegible] hominum quod [illegible]
[illegible] historie sunt
[illegible] conveniens sunt
ut Christus [illegible] venit [illegible]
salute hominum ordinavit [illegible]
realem et [illegible]
[illegible] in [illegible] [illegible]
hoc non [illegible] statui [illegible]
[illegible] et [illegible] comedi [illegible] et
[illegible] et [illegible] sui [illegible]
[illegible] sub [illegible] venerabiliter
ordinavit et [illegible]
[illegible] ut [illegible]
[illegible] et [illegible] hominum et de-
votio augeretur alias quibus
[illegible] in [illegible]
[illegible] et [illegible] ubique et
magis advertissent et [illegible]
ad deum quia [illegible] et [illegible]
[illegible] quo [illegible] quod a longe
[illegible] quod [illegible]
[illegible] fortius movet [illegible]
[illegible] corpus Christi [illegible]
[illegible] corporeum [illegible] realiter
et vere [illegible]
[illegible] [illegible] huius
[illegible] igitur [illegible]
[illegible] defectu [illegible] quod dicit
[illegible] ad no-
[illegible] deum ad posse
quod fateamur [illegible] investigare
non posse [illegible]

facti est [illegible] [illegible] excelle[illegible]
[illegible] id [illegible] gratie [illegible]
[illegible] mirabiliter factus tota [illegible]
est potentia [illegible]
[illegible] deus [illegible] plus quam [illegible]
[illegible] possumus [illegible] gratia non est
bona homo non [illegible]
[illegible] panis [illegible]
existat realiter corpus Christi [illegible]
[illegible] igitur [illegible]
[illegible] [illegible]
[illegible] indubitanter credimus deum
plus posse facere quam nos posse
[illegible] investigare
[illegible] deus
dicit et [illegible] credenda [illegible]
[illegible] nostra [illegible] inspectio
[illegible] hoc est [illegible]
velit [illegible] in quibusdam [illegible]
[illegible] [illegible] captivare
[illegible] intellectum [illegible]
[illegible] intellectus [illegible] possumus
[illegible] [illegible]
[illegible] [illegible]
[illegible] et [illegible]
[illegible] [illegible] semper [illegible]
[illegible] [illegible] ut dicit
[illegible] et [illegible] et ergo dicit [illegible]
[illegible] fidei credi salu-
[illegible] investigatio salubris
non [illegible]
quod homo non [illegible] fidei
[illegible] et [illegible]
declarare [illegible] et [illegible]
[illegible] opposito [illegible]
[illegible] fides [illegible]
[illegible] semper
ad satisfactionem [illegible]
[illegible] et fide
et [illegible] quod non [illegible]

quicquid sit posse eciam usque [illegible]
perfecte mirabilius reddere et sic de
hoc [illegible]. Sed quomodo corpus et san-
guis Christi sunt sub speciebus panis
et vini ostendit [illegible] loco [illegible]
conclusio ponenda est notandum quod corpus
Christi potest accipi dupliciter uno modo stricte
prout solum includit partes quantitatis
[illegible] Christi [illegible] est sanguis [illegible]
sibi [illegible] potenciam [illegible] ut
[illegible] quanta et
corpus est aliud a sanguine alio modo
corpus potest accipi ut [illegible] illa in-
cludit et [illegible] ad totum corpus
organicum [illegible] partes quantitatis
[illegible] partes [illegible] quanta
ut humores et [illegible] modo
sanguis est aliquid corporis 2o modo
accipiendo corpus licet ipsum et
sanguis primo modo sint diversa tamen
constituunt unum [illegible] totale quod
est corpus 2o modo. Et ita [illegible]
corporis primo modo et [illegible] sanguis
[illegible] et adhaerere.

2a conclusio

Conclusio 2a sacramentum eukaristie in-
[illegible] species panis et vini est
unum sacramentum [illegible] indivisi-
[illegible] unitate integritatis [illegible]
indivisibilitate [illegible] di-
[illegible] duas species pa-
nis et vini [illegible] diversas
[illegible] integritatis unitate [illegible]
duo [illegible] integrum
[illegible] integritatis et [illegible] et panis
[illegible] sacramentum [illegible] quod [illegible]
[illegible] totale [illegible]
[illegible] eciam [illegible] in-
[illegible] de quo [illegible] 10
libras [illegible] totale [illegible] libras

[illegible] quia [illegible] panis [illegible] sacramenti
et [illegible] sit [illegible] corporis
corporis Christi [illegible] corpus [illegible] et
[illegible] vini [illegible] sanguinis eius
sanguis [illegible] corpus [illegible]
[illegible] quia corpus Christi [illegible] et ille
duo [illegible] integrant [illegible]
ad [illegible] totum [illegible]
[illegible] sit totum [illegible] est [illegible]
[illegible] sacramenti et [illegible]
[illegible] corporis [illegible]
[illegible] sanguine ut dicit [illegible]
[illegible] est totum substancialiter
[illegible] est corpus [illegible] ibi et est
sanguis [illegible] est [illegible] istius corporis
[illegible] hoc sacramentum [illegible]
integritatis [illegible] et [illegible]
[illegible] quia refectio corporis [illegible]
et [illegible] refectionem [illegible]
hoc sacramentum [illegible] completa [illegible]
et refectio corporis [illegible] sit ab aliquo
[illegible] quia [illegible] panis [illegible]
[illegible] refectio corporis [illegible]
perfecte et complete [illegible] plena re-
fectio sit [illegible] quia sacramentum
[illegible] sit [illegible] completa re-
fectionem [illegible] quod ponenda est
[illegible] quid dicitur [illegible]
[illegible] ad [illegible] huius sacramenti
[illegible] ad [illegible] et
[illegible] et [illegible] ita
[illegible] sacramentum est ablucio
et [illegible] et [illegible] debita
forma [illegible] et [illegible]
sensibilium [illegible] est baptismus
et sacramentum [illegible]
est sacramentum [illegible] ibi sit [illegible]
[illegible] et [illegible] effectus
[illegible] et [illegible] ibi [illegible]
[illegible] eadem [illegible] actualiter [illegible]

[illegible] quod dixit augustinus [illegible]
[illegible] adelencia et sit
sacramentum [illegible] quod [illegible]
[illegible] conclusio [illegible] est

3a conclusio

[illegible] sacramentum [illegible]
[illegible] et permanet [illegible]
[illegible] et [illegible] totale [illegible]
[illegible] quia ipsum [illegible]
[illegible] et [illegible] totale [illegible]
[illegible] quia [illegible] et
[illegible] intencio [illegible]
[illegible] sacramentum [illegible]
[illegible] completum et est [illegible]
quia [illegible] permanet [illegible]
[illegible] sacramento
[illegible] et [illegible]
et [illegible] de [illegible]
sacramenti ut [illegible] sacramentum et
[illegible] ablucio [illegible]
sit [illegible] forma [illegible]
[illegible] sacramentum [illegible]
et de illo sacramento baptismi loquebatur
augustinus [illegible] dixit [illegible]
elementum et sit sacramentum [illegible] est
[illegible] sacramentum [illegible] quia ipsum est
[illegible] et [illegible]
[illegible] sacramentum [illegible]
forma quia [illegible] ipsum [illegible]
sacramentum permanet [illegible] sunt
[illegible] successione et sacramentum [illegible]
sit sua forma [illegible] consecratio
sacramenti [illegible] et [illegible]
aliquod [illegible] forma [illegible]
est forma sacramenti [illegible] consecratio
sacramenti. Et [illegible]
[illegible] sacramentalia quia [illegible] sacramentum
[illegible] forma [illegible]
[illegible] sacramentalia
quasi forma sacramenti. Et [illegible]

que sit forma huius sacramenti ut
[illegible] 3o dico [illegible] species
[illegible] panis et vini et
[illegible] forma huius sacramenti [illegible] hoc
[illegible] sacramentum [illegible] est [illegible]
et [illegible] forma [illegible]
sacramentum [illegible] permanens et [illegible]
[illegible] aliqua [illegible]
[illegible] sacramentum [illegible]
[illegible] et forma [illegible]
[illegible] forma [illegible] et
[illegible] excellencia huius sacramenti
super alia quia alia sacramenta [illegible]
[illegible] et [illegible] et [illegible]
[illegible] et [illegible] post
[illegible] sit sacramentum. Sed [illegible]
est [illegible] quia [illegible] corpus
et sanguis Christi sub speciebus panis
et vini [illegible] sit [illegible]
[illegible] et
[illegible] corpus
Christi sub speciebus [illegible] sacramentum [illegible]
[illegible] excellencie [illegible]
[illegible] quia est [illegible]
[illegible] sacramenti [illegible]
[illegible] quam [illegible] est [illegible]
[illegible] effectum [illegible]
[illegible] id [illegible]
[illegible] Christo [illegible]
[illegible] est [illegible] sacramentum realiter
[illegible] Christum alia [illegible]
[illegible] quia [illegible] realiter est [illegible]
et [illegible] sacramentum est realiter
[illegible] quia alia sacramenta [illegible]
[illegible] suscipienti [illegible]
[illegible] suscipiente [illegible]
[illegible] corpus Christi [illegible] quod
[illegible] quod [illegible]
[illegible] sacramentum [illegible]

Dicitur iii[o] eukaristia viaticum hostia synaxis
grece quod latine latum communio quod quantum
eukaristia dicitur ab eu quod est bonum
et karis gratia et eukaristia id est
quasi bona gratia quod dicitur est summum
bonum et communicare quantum gratias
summe quantum continens gratie quia Christum
qui est gratia subsistenti et ipsius
spiritui eius essentiat gratiam quia
est carbo ignitus scilicet caro Christi
que inflammat caritatem et animam
nostram adunat. Viaticum dicitur
quia est viatoris cibus et solum illi
datur et primum infantibus de
hac vita. Hostia dicitur quia Christus
passurus se obtulit quia pro se ob-
tulit cum apostolis dicit. Et moriens
hunc sacramentum instituens commemoracionem
mortem domini annunciatis. Et
dicitur synaxis quod grece quod est latine
fidelium dicitur communio. Communio
dicitur quia communicant eius sacramentum
fuit in lege veteri nostri prefiguratum
tunc quia non fuit ipse quod est a Christo
domino institutum. Prima pars primi
misterium manente primus ipsius sacramentum
secundum est patet quia ipsi tamen continebat
primo ipse rem continentem et est
corpus Christi quod tamen non fuit secundo
quia sacramentum plenius gratie debuit
solum proprie quod est instituentem vere
autem est id sacramentum ut probatum
est in prima questione. Christus instituit
hoc sacramentum in cena quod aptissimum
fuit quia vere voluit quo ad eos
pascha Romana tolli abolita
consistente in quod tamen id sacramentum
instituit ut fideles commemora-
rent passionem Christi sacramentum institutum

Lati est et Christus prima pascalis
agnum et signum omnis sacramenti
tessera deo homo ostenderet amicis
amorem signa tamquam memorialia
ut amicus in memoria eius commemoracione
meat et ideo instituit dominus sacramentum
eius passione scilicet in ultima cena
quantum ipsis conatibus sacramentum communi-
cabunt. Secundo dominus instituitur
huius sacramenti a Christo sub certa appareret
ut tenetur secundum formam dicit quod
dominus tenetur non quantum sub verbis
conferit, secundum formam con-
ferens instituit sub post baptismi
est quia baptismi instituit forma
et ideo illorum est quere quod est
tamen per si conferet persone non
nobis autem quod indigemus dictis
cum dedit formam et hoc per cum consecratur
quod eius patet extra in ea consecratione
ubi dicitur remanebunt accepit
panem benedixit et fregit dedit
discipulis suis dicens accipite etc. et post
hoc est corpus meum etc. Quod dicitur
quod postea benedixit quandam est cum conferet
per benedictum sunt consecrato igitur
tamen consecravit quod ita conferet
tamen postea fregit quod ita conse-
cratum conferet velut excedat
per sacramento post confectionem hoc probatur
igitur et hoc dominus ea oppositio est quod
dominus conficit sub et ita quod vult
per hic ea vult primo vocabulo
ad conficiendum secundo in apto ad fontes
instituendo omni festivitate primum
omnes scripsisse non dicit benedixit et
fregit et exponendo ipsi benedixit
scilicet ordine secundo hoc est corpus meum
et post fregit et distribuendo

dixit hoc est corpus meum. Tercia
oppositio est quod dominus sub conficit et non
instituit et semel tamen confecit
ita semel tamen eam protulit et id
hoc quemadmodum adque ut vocabu-
lo conferet non tamen posset sine
conferendo sub. Et quamvis posset
conficere sine non debuit tamen conficere
dicendo eam ut amplius formam
traderet quod dominus non tamen sua
potencia ostendebat per eius discipulis
insinuabat et illam opposita plus
accepit. Secunda et hec eadem quod
obiciebat in prima oppositione quod
dominus panem benedixit quod secundum quod
mendacior ita non fuit confectum
per fuit quedam preparacio vel magis
quedam oracio sine gracias actionis
premisso in quo ostendit nobis
adtractandum cum forma benedictione
sicut mos est etiam modernorum adque
aliud premitte benedictiones. Secunda
deprecacione secundum quod dicitur de causa
sub eo sacramento ad assignandum
vel ad describendum ad designandum
sub scilicet frangi et aliorum
sequuntur consecracionem et alia vero
est ad describendum et si aliquis
conficeret primus sibi ita quod hoc tamen
rogare eo hostiat dispensatas
quod possent postea frangi et ut
fecit dominus cum fregit ut inde
distribuendum. Secunda conclusio principalis
nendum est nondum quod omnes quidem
recipere hoc sacramentum et non sacramentum
secundo sacramentum et non spiritualiter tercio sacramentum
sacramentum et spiritualiter quarto spiritualiter et
sacramentum non. Primo modo recipit sacramentum
recipit hostiam consecratam quia ibi
est non sacramentum sed non recipit

corpus ut consecrata sunt dimo non
discernens eam agi cibo et talis
secundum apostolum ad Corinthios xi[o] quod indigne
manducat et sumit etc. Dicit
indicium Christum dominum et non discer-
nens alimentis cibis et huius etc.
ille ex infidelitate ut paganus
si daret ei quando cum sed pro ex
contemptu sancte fide sed maior
lo Christiano vel sed eis secundum fine
preterea sed ex ignorancia sicut est
non haberet intencionem sumendi
corpus Christi sed haberet advertendum in
tendens tamen corpus sumere tercio
et ad offeret sed pane consi-
deratio ipso in recte tunc enim sumit
omne sacramentum sed tamen sacramentum apte
defectum intencionis. Secundo recipit
illud sacramentum quod non tamen sacramentum
recipit sed eis recipit id sacramentum tertio
de novo in eo corpus Christi et per recipere
opus Christi sicut in eccam conscient sacra-
mentis quando sed si est in peccato mortali
non contritus non recipit spiritualiter quia
non recipit effectum spiritualem ad
quem ordinatur hoc sacramentum quod
est quia invisibiliter spiritualiter perigrinam
dictum a Christo. Et eciam sed clerus
hereticus intendit sumere hoc
sacramentum ubi conficit etiam recte
corpus Christi quamvis ipse ibi non
credat et talis ad videndum hoc
sacramentum tercio sed sacramentum et per
quia sumit ut sacramentum. Sed tercio reci-
pit fidelis sine peccato mortali
existens quod sum per statuta sua dili-
genter consciat sua excitavit
et accedit intendens sumere corpus
Christi quod sub istis speciebus credit

sicut et ecclesia credit [illegible] spiritualiter
emittitur et Christo cibo spirituali emitur
et incorporatur secundum augustinum crede et
manducasti. mane non mane [illegible]
sed in [illegible] mane hora in [illegible]
cibum corporale et spirituale quibus
corporalis [illegible] spiritualis
[illegible] spirituali cibatur [illegible]
Christo recipit spiritualiter et non [illegible]
[illegible] secundum posse suum [illegible] et de-
vote [illegible] vellet sumere [illegible]
reverentia abstinet [illegible] aliquid
cum [illegible] vel forte quia non [illegible]
[illegible] quia forte detentus in-
[illegible] gentilium sicut [illegible] augustini
crede et manducasti sed spiritualiter
[illegible] de fide formata [illegible]
et potius [illegible] fidem [illegible]
quia fides [illegible] operatur
de quo [illegible] modo [illegible]
[illegible] hoc [illegible] [illegible] illud
[illegible] spiritualiter quia non potuit
[illegible] effectum [illegible] non fuit
plenus [illegible]
[illegible] potuit [illegible]
[illegible] manducare et non spiritualiter
[illegible] completa [illegible] plenus
[illegible] non [illegible] et [illegible]
et illud [illegible] et [illegible]
[illegible] et [illegible]
et [illegible]
[illegible] Christus [illegible]
[illegible] et [illegible]
et [illegible] alii [illegible]
[illegible] non [illegible] et [illegible]
[illegible] non [illegible] ubi [illegible]
[illegible] stomachum [illegible] stomachum

[illegible] quod [illegible] dici [illegible]
de ieiunio [illegible] aliquis de ie-
iunio quod dum [illegible] die non [illegible]
[illegible] vel potum [illegible]
[illegible] die [illegible]
[illegible] ubi corporalis [illegible] vel [illegible]
potum illud ieiunium solvit et [illegible]
[illegible] ubi [illegible]
[illegible] interius [illegible] ex-
terioris ubi [illegible] non solvitur ie-
iunium nec ut deglutire salivam
vel casuale deglutire reliquias cibi
[illegible] dentes remanentium [illegible] et
[illegible] ieiunium [illegible]
[illegible] die [illegible] ubi
vel potum [illegible] [illegible]
[illegible] ieiunium [illegible] de quo
quis de [illegible] medicinam
[illegible] constitutum [illegible]
[illegible] et [illegible] ieiunium [illegible]
[illegible] questione [illegible]
[illegible] non solvit [illegible]
[illegible] et
et [illegible]
[illegible] medicinalem vel [illegible] alios
cibos accipi [illegible] vel [illegible]
[illegible] et electuaria
vel [illegible]
[illegible]
hec ieiunium non solvit [illegible]
[illegible] aut [illegible] statim [illegible]
[illegible] hec [illegible]
[illegible] et [illegible] de palude [illegible]
[illegible]
[illegible] dedit [illegible]
[illegible] non [illegible]
[illegible] non [illegible]
[illegible] in aliquibus [illegible]

possunt et non recipi [illegible]
[illegible] et [illegible]
[illegible] dedit [illegible]
[illegible] pastoralis [illegible]
ut allegat [illegible]
et sicut [illegible] augustinus [illegible]
[illegible] complanavit [illegible]
ut in honore [illegible] tanti [illegible]
[illegible] christiani [illegible] corpus [illegible]
[illegible] quia [illegible] ubi [illegible] ubique
servatur [illegible] augustinus [illegible]
[illegible] dedit [illegible]
[illegible] deberet illud
recipere ut faciebat [illegible]
[illegible] et [illegible]
[illegible] salvatur [illegible]
[illegible] hec [illegible]
[illegible] hoc [illegible]
hoc [illegible] gloria [illegible]
[illegible] sumere [illegible]
[illegible] dispositus
erat [illegible]
[illegible] et [illegible]
[illegible] quod [illegible]
[illegible] dedit [illegible]
[illegible] reliquit
et [illegible]
[illegible]
[illegible] possibile [illegible]
[illegible]
et [illegible] quod [illegible] et [illegible]
[illegible] spiritualis [illegible]
[illegible]
[illegible] ubi [illegible] potum [illegible]
[illegible] quando [illegible] fiat
[illegible]
[illegible] solvit
[illegible] ieiunium [illegible]

[illegible] stomachum [illegible]
sequitur [illegible] medicina que
stomachum [illegible] sump-
tionem [illegible] alium
cibum [illegible] impedit [illegible]
[illegible] legislatorem
attendere [illegible] sunt
[illegible]
[illegible] per aliud
[illegible] corporis [illegible]
aliud [illegible] aut [illegible]
[illegible] sumptioni [illegible]
[illegible] deglutire salivam
vel [illegible] ubi [illegible]
[illegible] et [illegible]
non impedit sumptionem [illegible]
[illegible] non solvit ieiunium [illegible] ut
[illegible] sunt [illegible]
[illegible] et [illegible] ieiunium
non incipit [illegible]
[illegible] ieiunium [illegible]
[illegible] die [illegible] ubi vel potum
[illegible] medicinam [illegible]
[illegible] matutinas
[illegible] bibere [illegible] medium
[illegible] non [illegible] hoc impedit
[illegible] ut celebrare die sequenti
quia [illegible] non incipit ab officio
matutino [illegible] non [illegible]
[illegible] matutinas et [illegible]
[illegible] ut [illegible] petrus pa-
ludensis [illegible] aliquis [illegible]
[illegible] bibere vel [illegible]
et [illegible] dormierit [illegible] possit
celebrare [illegible] vel [illegible]
[illegible] petrus de palude [illegible]
dormire [illegible] sicut [illegible]
[illegible] non possit dormire [illegible]

ordinet ut sequitur aliquid ecclesie nec
obstat illud quod dicitur de cartusien-
sibus qui tamen constituunt et communiter de
illo de ytalia ubi communiter
missam accipiunt tota nocte pernoc-
tando propter proprium et reuerentie
et quia post mediam noctem debent
ipsi celebrare die sequenti per-
uenit etiam prima quam non ieiuni
celebraret per preceptum ut sic nec
potest propter secundum esse probat euiden-
ter quia ieiunus mansisset post
mediam noctem tamen celebrare post
tercium de consuetudine et dis-
pensatione pontificum sunt in magne
reuerentie et indecentie hic quod
mouent primam ad ieiunium post
preceptum facta locutus secundum
quando est super est nec ipse
quia dicitur quod dicitur de aliqua mora
propter preceptum eius et reliquis ubi
communiter in missa post preceptum eius
gratia actus dicitur Et est aliqui qui
dicunt sicut ordinet pluraliter
diuit ad conditionem in toto facti
precepti homo ingratus ante
est iste ad aliquem datum ipse omnino
decent et quoniam est contra
quantum precepti reddit magnam
inualidum. Sed si quis dicit
tamen tribus gradibus dicitur. Si maior
diuina potest esse usque ad per-
tinens ministri fuerint et cum
consuetudine. Et si antequam alterius
accipiunt ieiunium usque ad
facit Item contra rationem
concedi quod dicitur quod communiter de
primum in ecclesia apostoli
primo adiuuat secundo Si quis enim

domi inaduertat ubi quando nimie
quando cum aduenerit ad ecclesiam debe-
rent sumere communionem in domi-
bus nec non si moderate de speciebus
aliis sumerent non redarguit
cum dicitur unus sunt aliqui aut aliqui
est. Item decretum dicitur Sancti Augustini al-
teris non ad communionem horis
celebrant excepto uno die anni
necessario quo cena domini celebrat
ibi ut quod ad diem post alios cibos
suscipit corpus Christi secundum quod in
cepit dicit et quod secundum locum sumptum nec
primitiue ecclesie quando tunc sacramenti
tractatio ministrorum raris missarum
solempnia celebrabant et ad
orationem preparationem quod nota
degeneret in epistulis sunt quam nimis
celebrabat ad aliquam diuina
reuelatione propter precepta secundum
istum contrarium communiter abrogat
non est fidelium dicitur quod ecclesia re-
prehendit eos qui prauis super-
posuit cibis et id sicut nota
sunt domi inaduertere non ad mis-
sam aliquam uenient ecclesias
sed post recessum alterius ita quod non
satisfaciat forum sine dolo
secundum augustinum alius obuius contra quod
sciat cibis aliis nobis quos
medicina permittit sibi ipsi sciret
sed expectatur quod si nimium fuit
indemne sine preiudicio. Item lau-
dabilis consuetudo ecclesie hic quod
nullus dispenset cibis nimium
inedia quando uote ieiunio possit sine
ad capitula et quando est ualde
ad concordiam potest nota Item in
quod etiam magno tempore permittunt
inducie cene sumendo corpus Christi

post alios cibos in refectione
ut dicitur de cena sacramento
ampliusque etiam per totam ad quale
dicitur circa inter est gradibus
accedere ieiunum et non ieiunum
ut ministrantem communicare
persona indicium tunc ad tertium non
est periculum in secundo necessarium
boni prandio perfecto sacerdo non
sic uiaticum esse dandum et
quod precipit dicit esse utile
apud ducat ad ieiunandum Alio
tempore sollempnitatis et primo de aqua
etiam celebret. Secundo ad-
uo et consumpto per calicem facti
et exaltationem primo
dicat aquam et sacerdos non ad-
uertens precepit ministrum bi-
bisse et perdidit ieiunio ita et
secundo ablutione usque ad perc-
ceptionem et in percipiens liquorem
et calicem aduertit esse aquam quod
precepit ministrum esse
ieiunium et tamen ut dicit Item re-
tempore ipse tenetur quantum sacrificium
dominum et superatum preceptum
tempore non ieiunus potest sumere hoc
sacramentum. Et quia sunt diuina precepta
ordinata preceptum superior sona
ligat. Sed cum preceptum Christi
in ipsa institutione huius sacramenti et
et ex hoc in sacramento quod sacramentum
perficiatur perficiatur integrum cum
sacramentum in ecclesia et mutationem tamen
ex duobus de illa et integritate
sacramenti in distincta obligatio
ecclesie decretum dicitur. Item complendi autem
sancta integritas perficiat autem
ut integrant accipiant secundo de
sacerdotibus conficientibus et post

non communicantibus. Et prohibitio re-
que diuisio communis partis
sunt grandi sacrilegio non sit
sumendi seu quomodo alio precepto
esse perfecto maxime quod omnino respicit
speciem calicis sed partis terre
semper quod celebrantes ad istam inte-
gritatem quod ieiunium percipit aquam
sumere tenet ad complendum ut plurimum
sit sed ad preparandum sacramentum et
tunc celebrans tenetur sacramentum con-
secrandum sumere sed tenet dicit sed
reuelatio et quod hic est sacrificium
non dicit rei sunt diuine facti
et secundum talis agnoscit uno omnino repul-
sio quod moriatur. Et prohibitio abs
medius tenetur ut concedere
sacerdotis corporis et sanguinis simul
lat tamen preceptum calicis et san-
guinis perinpieri si perlibeat uel ergo
ministro tenetur ex constitutione Christi et
integritate sacramenti consecrare sanguinem
et expressissimo preceptum esse
persona repulso uno anno al-
terius tenet consecratum accipere et
si obiret ante non est ieiunus impetrat
nunc ut sic omnino tenet consecrare ut percipi-
at uel si est nimium conferre et percipe-
re quia peteret cum preceptum esse
et tunc complexum quod non est de
de aliquo ex precepto diuino et esse
Et quod etiam non ita stricte precipit
de ieiunio perficiendo prohibendo
non ieiunum percipere sed prohibet
ideo facti communio et ipsam diuinum pro-
hibetur ante et expressam ministri
tunc facti non de ista stricte
prohibet non ieiunum percipere post
secrationem sumere in expressam prohibitionem
ille preceptum Christi sit consecrandi
et post consecrationem perfecisset preceptum

etiam despiciendo ex aliqua parte non
sed deviando ab praecepto ecclesiae
Sed contra. Non enim contempnit qui
suscipiens sacramentum [illegible] de
manu sacerdotis neque qui contra sua-
legem neque repellitur [illegible]
communio sit hic sacramentum quod etiam
non intendebat minime cum ob-
ligatione adimplere ymmo alia
duo praecepta contra [illegible]
quam [illegible] fortius et
magis obligent [illegible]
[illegible] ex sumendo praeceptum
superioris et propter scandalum bene
facit et si non sumeret peccaret
mortaliter obmittendo aliud praeceptum
[illegible] non peccat [illegible]
[illegible] quia [illegible] sumendo
[illegible] etiam voluit illud [illegible]
[illegible] legem [illegible] praeceptum
magis adoptatum. Et si obicitur
quod scandalum erit si [illegible] pri-
vat illud secundo [illegible] sequens
ad hoc est vera responsio quod
si scandalizaret scandalum est
[illegible] acceptum non datum
[illegible] bonum est et [illegible]
et [illegible] bonum
si [illegible] recipit [illegible] quod sacerdos
[illegible] causam [illegible] si
[illegible] debet [illegible]
[illegible] scandalo
[illegible]
[illegible] de [illegible]
[illegible] alio [illegible] re-
spondeo quod [illegible]
[illegible] scandalo si [illegible] fiat
videns [illegible] altaris [illegible]
[illegible] [illegible]
[illegible] et [illegible] si
precedente aqua [illegible]

[illegible] potest
ad medium [illegible] et [illegible]
[illegible] Christi [illegible]
[illegible] quod [illegible] potest
[illegible] calice [illegible] potest [illegible]
[illegible] quotienscumque [illegible]
[illegible] et [illegible]
Et [illegible] plures [illegible]
[illegible] sufficere cum sanguine et [illegible]
[illegible] quod non potest
[illegible] et cum scandalizat
Quinto [illegible] primo [illegible]
[illegible] particula [illegible]
[illegible] non [illegible]
quod [illegible] non [illegible] calix [illegible]
a die [illegible] finaliter
et [illegible] est quod [illegible]
[illegible] particula
[illegible] sacerdos ibi
[illegible] cum non [illegible] Et si
[illegible] dictum est
[illegible] sanguinem [illegible]
Et quod [illegible] integritas [illegible]
[illegible] ita quod [illegible]
corpus [illegible] et sanguinem
[illegible] autem [illegible]
[illegible] corpus [illegible]
et non sanguinem [illegible] sed [illegible]
[illegible] prepone [illegible]
[illegible] calice [illegible]
[illegible] est quod [illegible]
[illegible] si [illegible] sanguinis effunderetur
vel aliquid [illegible] stillaverit [illegible]
Et quod si per negligentiam aliquid
stillaverit de sanguine super terram
lingua lambatur si lapis est vel
terra et tabula [illegible] et
[illegible] igne [illegible] et [illegible]
in altari [illegible] et xl diebus
sacerdos peniteat [illegible]
[illegible] ut [illegible] ut [illegible] diebus

continet et [illegible] diebus [illegible]
[illegible] Si autem cadit
in altari super lapidem altaris
sorbeat [illegible] et tribus diebus
sacerdos peniteat. Si pervenit
ad primum linteum et [illegible]
diebus peniteat. Si [illegible] novem
diebus peniteat. Si ad [illegible]
[illegible] diebus peniteat et [illegible]
[illegible] super [illegible]
et [illegible] altare [illegible]
[illegible]. Si [illegible]
Et [illegible] glosa ibidem [illegible]
aliquid [illegible] cadat [illegible]
sicut aranea [illegible]
[illegible] igne [illegible] hic dicit
si musca vel aranea [illegible]
[illegible] ceciderit [illegible]
[illegible] parte [illegible]
Si sacerdos [illegible] consecrationem
deprehendat [illegible] calicem [illegible]
et aliud [illegible] consecrandum [illegible]
Si vero ad horam [illegible] consecrationis
[illegible] calice [illegible] et
diligenter [illegible] et
[illegible] sacrarium [illegible]
si [illegible] deprehendit
[illegible] sanguinis [illegible]
[illegible] calix [illegible]
[illegible] diligenter
[illegible] et [illegible]
[illegible] corpus
[illegible] et sacerdos [illegible]
[illegible] consecrationem sanguinis
et [illegible] [illegible]
[illegible] sumi [illegible]
[illegible] deformitas et
habet [illegible] Si
[illegible] per ebrietatem [illegible] si [illegible]
[illegible] vel ebrietatem [illegible]
corpus Christi [illegible] si est [illegible]

[illegible] xl diebus peniteat [illegible]
[illegible] Sacerdos vel [illegible] vel [illegible]
[illegible] aliis [illegible] Si [illegible]
[illegible] ex infirmitate [illegible]
[illegible] diebus peniteat [illegible]
[illegible] non [illegible]
[illegible] et est quod tribus [illegible]
[illegible] Ex [illegible]
[illegible] et [illegible] diebus peniteat
[illegible] vel [illegible] si [illegible]
vel aliud [illegible] debet
[illegible] diebus peniteat. Si [illegible]
[illegible] aut [illegible] et
[illegible] diebus peni-
teat [illegible] Si ad
[illegible] aut [illegible] sacerdotis
[illegible] accedit [illegible]
[illegible] Ex [illegible]
[illegible] quod [illegible]
[illegible] ex illa culpa [illegible] ad
[illegible] positus ad [illegible]
[illegible] est
[illegible] hoc [illegible] [illegible]
[illegible]
[illegible]
[illegible] est [illegible]
[illegible] est [illegible]
[illegible] ut dictum est [illegible]
[illegible] est [illegible]
[illegible] consecrationem
[illegible]
[illegible] est [illegible] quod
[illegible] si [illegible] ut
[illegible] et [illegible]
dictum est [illegible]
[illegible] sit [illegible]
[illegible] causam [illegible]
[illegible] ut [illegible]
dictum fuit. Si autem [illegible]
[illegible] est [illegible]
ut dictum est [illegible]

debite incipit significare corpus xpi esse sub
speciebus panis et sanguinem sub
speciebus vini tunc illud prolatum fa
ctum per signum efficax et certum est
vera quia ipsum factum est signum
efficax et certum et similiter est certum
corpus xpi ¶ Et tunc dicitur quod verba
finita sunt eisque adest corpus xpi
¶ Secundo concedo quod loquendo de actione
qua tunc adest virtutis finite dispo
sitio convenientis ad esse corpus xpi sub
sacramento sed eidem correspondentis hoc
dicit [illegible] instituit deus species illas
ut per consecrationem assistat eis ad
finitum corporis xpi dicitur consumma
tionem [illegible] conditus curatorum
generat hoc modo sacramentum esse hoc
alio modo per formam quia tunc non
est sacramentum permanens vel non
possunt esse sine impressione in
ipsa consecratione conspicit inquantum et
non requirit aliquam formam distinctam
sed ipsa est forma sacramenti seu consecra
tionis sacramenti ut dictum fuit et hoc
de questione ista.

Secundo quero utrum ista
verba distinctius certum
sit verba et propria forma
consecrationis ipsius sacramenti ista
que ponitur in canone misse ¶ Et
quod non quia hoc pronomen hoc aut
demonstrat substantiam panis aut
accidentia et utroque modo est falsa
aut demonstrat corpus xpi et
tunc ipsa non est efficatia sed ista
corpus meum est corpus meum
¶ Item dicitur ipso est efficatia vel operatio
qua vera est uel [illegible] aut vel
operatione cum sit ipsi operatio ponitur
illis aut est illa corpus meum est

corpus meum ¶ Tertio non forma tradita
a xpo quia hic aliquid ultra continetur
sed interponitur hic quando vel quia non
est tradita a xpo sed per [illegible]
¶ Quarto sed hoc pronomen ego significat personam
propriam de se loquentis ita meum
possessionem sed sacerdos dicit ego de
se ergo ita dicitur meum designat
id esse possessionem sacerdotis dicit
meum designat id esse proprium ipsius
sacerdotis id autem non est vera forma
consecrationis sed potius deberet dicere
hoc est corpus xpi ¶ Quinto contra quia non sit
forma consecrationis sanguinis ista qua
utimur quia ipsa non convenit tradita
a xpo quia non concordat [illegible] vera
¶ Et cum pauca verba videntur pertinere
ad consecrationem sanguinis sed tantum sunt
de consecratione corporis consummatione
vere [illegible] sanguinis et alia supra
ponuntur et ponuntur pro sacerdote [illegible]
¶ Ex decelebratione misse [illegible]
non [illegible] in [illegible] quia for
ma sed [illegible] fidelis et a xpo
apostoli et alii post eorum tempora
successores ¶ Tertio forma que etiam
videndum est cum sacerdos consecrat
corpus sit dicta alia forma sed
consecratio talis et efficax sine
[illegible] quod est [illegible]
quod non ista esset dicta alia et
efficax sine ea fideles [illegible]
te adorarent corpus xpi non con
secratum sanguinis quia non dum
ibi esset corpus et viderentur
ydolatrie ¶ Contra hoc argumentum
quidam [illegible] dixerunt sub
ista [illegible] sine sanguine
corpus xpi non est sine sanguine
quod dixerunt ita [illegible] et non
adoratur hostia non consecrato

sanguis non adoratur id quod est
ibi sed illud quod erit ibi ¶ Sed ut dic
tum est illud non est verum secundum sanctum
Thomam et alios doctores quos
¶ Et ergo ad articulum respondendum et
¶ Primo et alii doctores quod in hostia
consecrata sub speciebus panis non conti
netur sanguis xpi sed quod est unus
solus fidelium ¶ Et ergo secundum [illegible]
tutum est [illegible] sed non
continetur ibi vi sacramenti sed naturali con
comitantia quod contingit ut corpus xpi
non sit sine sanguine et ergo de
speciebus substantie ¶ Secundo videtur
est de forma consecrationis corporis quod
sit dictum ¶ Et vera consecrationis cor
poris xpi sub [illegible] pro demo
stratum hoc et cum est et corpus
meum illa [illegible] expressit xpus
[illegible] hoc est corpus meum ¶ Hec
quando [illegible] non est [illegible] primo
sed ponitur ad designandum ordinem con
secrationis sacramenti ad usum sacramenti hec
[illegible] accipite hoc est corpus
meum [illegible] quia verbis est consecratio
[illegible] consecratio dicta est [illegible]
[illegible] sed quod [illegible]
ad [illegible] vera quia sunt
de forma proferuntur sine prece
dentibus ¶ Sed est dictum verum
[illegible] precedentibus [illegible]
sola xpi vera conficit sacerdos
¶ Et [illegible] quod sit [illegible] illa
sub forma propria et alia sub
[illegible] ut [illegible]
[illegible] ¶ Sed contra id [illegible] quia vera
[illegible] cum [illegible]
quod efficitur xpi sacramenti et [illegible]
¶ Sed xpi consecratio [illegible] efficit
quod ibi sit corpus xpi [illegible] vera

[illegible] hoc [illegible] ibi [illegible]
¶ Sed hoc vera hoc est corpus meum
[illegible] precedentibus hec non
[illegible] quia [illegible] meum significat
[illegible] loquentis [illegible]
[illegible] possit intendere ut loquatur
in persona xpi [illegible] hoc [illegible]
illorum esset quod [illegible] meum denotet
corpus xpi ¶ Sed potius corpus sacer
dotis loquentis [illegible]
loqui mea doctrina non est mea
doctrina [illegible] ergo intendendum lo
qui in persona xpi [illegible]
non habet quod doctrina illa sit
xpi [illegible] sermo de
xpo [illegible] qui loquitur ¶ Sed [illegible]
[illegible] loquebatur in persona dei ergo
[illegible] et [illegible]
non est [illegible]
quo [illegible] ergo supponit
[illegible] non erat [illegible]
[illegible] ¶ [illegible]
de [illegible] ponitur in [illegible]
¶ Sermo [illegible] xpi [illegible]
[illegible] et sequitur consecratio [illegible]
[illegible] vera
accipite et [illegible] ex hoc omnes
hoc est corpus meum [illegible]
[illegible] illa [illegible] accipite
et manducate ex hoc omnes hoc
est enim corpus meum tamen vera
consecrationis ¶ [illegible] non est [illegible]
tamen [illegible] pertinentia ad [illegible]
consecrationis [illegible] ipsa consecratio
sed tamen [illegible]
[illegible] sit consecratio et [illegible]
ita [illegible] alia plura [illegible]
[illegible] qui [illegible]
[illegible] ista vera hoc est enim corpus
meum dicitur in persona xpi ¶ Et

dictis articulis et aliis pluribus dicunt
aliqui quod qui celebraverit vel per-
fecerit hoc est enim corpus meum sine
aliis precedentibus non confecit
quod perficeret vel celebrantibus quod perficeret
laborat de se quantum est ex
nomine suorum et non de corpore christi
Respondeo dicendum quod si quis inciperet
a loco ubi fit memoria christi ut
qui nobis corpus et sanguis fiat
dilectissimi filii tui domini nostri ihesu
christi qui pridie etc. et post hoc preter om-
nia que habentur continuaret medium
sive usque in hoc est enim corpus meum
ubi confecit patet quod ita hoc est
enim corpus meum per verba illa
consecratur et ex precedentibus non
in quibus fit memoria domini christi
in sermone autem patet quod prima illa con-
secrationis quod per hoc est corpus meum
dicitur memoria christi et non sacer-
dotis proferentis vel aliud congruas
Ex quibus patet quod tamen hoc dicit
hic intentione et diligenter similiter
illa distincte et continue ex
[illegible] quod patet ex forma verborum communis
quia quod totum est communiter per nunctiones
et prelationes et plura quod
est non fieret sine [illegible] ab illo
loco [illegible] et [illegible]
[illegible] usque ad ipsum per consecrationem
supplices te rogamus omnipotens deus
deus non est aliquid [illegible] quod non [illegible]
intentionem et convexum sit ad pre-
dente vel per [illegible] aliquo pro-
hanc ratione oblationem [illegible]
ut proprio infinitum vel quantum ab
lacione tu deus et iterum qui
pridie quam pateretur et post consecrationem

totum super [illegible] ac [illegible]
[illegible] vel prelationem uti [illegible]
Sed de corpore dominum est quod [illegible]
est alterius ad [illegible]
tamen tantum sit tertium et [illegible]
circa ipsam formam consecrationis di-
citur statim post hoc ad assignet de
forma consecrationis sanguinis
Sed ergo videndum est quid de forma
consecrationis sanguinis de quo dicitur primo
Quod illa forma que posita in canone
[illegible] est certa et vera forma con-
secrationis sanguinis patet quia ecclesia
[illegible] post allegata [illegible]
[illegible] et multa tradita per
ecclesie [illegible] quod tamen non sit scripta
[illegible] Secundo dico quod licet
illa forma in canone posita sit
[illegible] ministro in certa forma ce-
lebranti ipsa tamen ad consecrandum non
[illegible] alia certa forma [illegible] patet quia
ipsam formam [illegible] que est hic est
enim calix sanguinis mei novi et eterni te-
stamenti [illegible] pro vobis et pro multis effun-
detur in remissionem peccatorum
[illegible] [illegible] quia sunt apud
[illegible] [illegible] Non invenitur
Ubi super forma certa ad [illegible]
[illegible] sumerit quod [illegible] quod
[illegible] sancti et doctrine
[illegible] dominice accepit ab
ipsis apostolis petro et paulo quibus
[illegible] auctores [illegible] et [illegible]
custodit [illegible] certa [illegible]
cepit que hactenus immobili [illegible]
[illegible] Tertio [illegible] patet quia certa te-
net quod [illegible] consecrat sanguinem
quod tamen hec forma non [illegible]
sed hic est sanguis [illegible] novi te-
stamenti qui pro vobis et pro multis effundetur in

remissionem peccatorum Sed dicunt ali-
qui quod et forma certa et [illegible]
ecclesia et [illegible] scripta est [illegible]
[illegible] est ad [illegible] [illegible] [illegible] non
videntur [illegible] quia capitulo 26 [illegible]
ix dicitur hic est sanguis meus et [illegible]
22 hic est calix [illegible] sanguinis
Dicitur ergo isti quod [illegible]
[illegible] et si non [illegible] [illegible]
[illegible] forma tamen [illegible]
[illegible] perfecta et ordinata [illegible]
[illegible] ad consecrationem [illegible]
[illegible] [illegible] [illegible] quod [illegible] que
in canone [illegible] [illegible] [illegible]
ministro qui [illegible] certe [illegible] quod
dico [illegible] [illegible] quos forte [illegible]
non obligavit ad istam formam [illegible]
[illegible] est [illegible] [illegible]
Dicit tamen [illegible] [illegible] forma
que traditur in [illegible] sit forma in
qua consecrari possit quis audeat [illegible]
[illegible] autem quod audeat [illegible]
ad [illegible] [illegible] [illegible]
[illegible] formam describere [illegible] [illegible]
[illegible] Quarto dico illud [illegible]
[illegible] [illegible] [illegible]
[illegible] vel [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] forma
consecrationis [illegible] [illegible] [illegible]
[illegible] dicitur [illegible] quia non [illegible] hoc
[illegible] [illegible] ad sanguinem quam
ad corpus [illegible] [illegible] christo ita [illegible]
consecrationem [illegible] [illegible] sanguinis
[illegible] illud [illegible] ad consecrationem
sanguinis [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] non
[illegible] ad [illegible] corpus christi quia illa
[illegible] non [illegible] ad [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et

[illegible] consecrationis non est [illegible]
consecrationis [illegible] illa [illegible]
[illegible] [illegible] christi [illegible]
[illegible] consecrandi [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] consecrandi non sit per
illa [illegible] ad consecrationem
illa consecrationis [illegible] [illegible]
quod consecrat vel [illegible] consecrat
[illegible] [illegible] [illegible] consecrationem
[illegible] [illegible] quam consecrant
et ipsum [illegible] [illegible] hoc [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] illa usque in hoc [illegible]
[illegible] [illegible] ita hic est enim ca-
lix sanguinis mei novi et eterni
testamenti misterium fidei qui pro vobis
et pro multis effundetur in remissionem
peccatorum [illegible] [illegible] [illegible]
consecrationis sanguinis [illegible] [illegible]
quia patet primo de [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et est [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] formam [illegible] [illegible]
illa [illegible] [illegible] ad illam [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ad
[illegible] formam consecrationis [illegible]
[illegible] [illegible] [illegible] [illegible] illa
illa [illegible] ad formam consecrationis
sanguinis [illegible] [illegible] hic est calix
sanguinis mei [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] illa [illegible] hic est enim calix
sanguinis mei et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

probavit apostoli quia si Christus in exprime
de forma consecrationis corporis dixisset hoc est corpus meum de virgine
natum conceptum etc. patet de sacramento
dixit quod pueri concederet etc. nec illa
verba fuissent [illegible] devotionem
[illegible] tamen fuisset [illegible] ad forma
[illegible] ad eandem formam pertinuisse
dicit tamen Scotus quod non est [illegible] tanta
[illegible] certitudinaliter [illegible] ad
formam consecrationis sanguinis pertineat
aliqua verba post [illegible] sanguinis mei
[illegible] periculosum est illud asserere de
quo scripturis auctoritas non habetur
et aut periculosum ignorare quod ignorat ignorantia invincibili Ex
quo consequitur quod tutum est dicere quod
[illegible] distincte [illegible] intentione est quod
[illegible] sacerdos [illegible] et verba
sunt de forma ad hoc quod aliquis consecrat sacramentum
secundum illud [illegible] manifeste
[illegible] est non solum [illegible]
[illegible] et prima et secundo [illegible]
[illegible] quod [illegible] sacerdote
[illegible] episcopus [illegible] ordinatus [illegible]
[illegible] ordinatur [illegible] sacerdotem
[illegible] quod [illegible] ordinatus
[illegible] sacerdote [illegible] ergo
Scotus quod sacerdos intendens [illegible]
quod facit ecclesia [illegible] verba [illegible]
[illegible] vel consecrat
[illegible] alium [illegible]
[illegible] valde [illegible]
dicere [illegible] ipsius [illegible]
consecratione sanguinis Sed [illegible]
[illegible] dico [illegible] ipsa verba [illegible]
[illegible] intentione [illegible] Christus instituit
[illegible] proferenda et que
[illegible] sunt de forma
dico ut de forma et [illegible]
[illegible] dico ut [illegible]

[illegible] dicta est [illegible] ut [illegible]
[illegible] quondam [illegible] fuerunt sacerdotes
et [illegible] Scoti [illegible] hiis [illegible]
hec quotiescumque feceritis in mei memoriam
memoriam [illegible] Scotus [illegible]
[illegible] forma consecrationis sanguinis
intendens [illegible] consecrata [illegible]
[illegible] de quibus dico [illegible]
[illegible] ad [illegible] domini [illegible]
et [illegible] sacerdotes celebra
[illegible] tenent [illegible]
[illegible] ut [illegible] id est [illegible]
forma consecrationis [illegible] ad eam
pertinet et timeo quod [illegible]
[illegible] quod [illegible]
tractant et [illegible] voluerint
attendere quod salubre est illud
digne et reverenter tractare
et [illegible] Et quia periculosum est
[illegible] ipsum [illegible] alias [illegible]
[illegible] presument [illegible] temeritate
et temerarie [illegible] aliquam [illegible]
et tam [illegible] sacerdos [illegible]
quod non [illegible] distinctione
et [illegible] doctrina
forte [illegible] ipsi et forma [illegible]
et [illegible] sacerdotalem [illegible]
hiis quod ad sacerdotale officium
pertinet [illegible] ignorari [illegible]
[illegible] caput [illegible]
[illegible] officio [illegible] et [illegible]
[illegible] quod ignorat [illegible]
[illegible] facta [illegible] illa [illegible]
[illegible] et [illegible] pluribus
periculo [illegible] dico quod [illegible]
timeo quod [illegible] celebrant
non consecrant sanguinem quia [illegible]
disposuit ad [illegible] in

[illegible] celebrare [illegible] in [illegible]
[illegible] in [illegible] intendebat [illegible]
[illegible] ista verba [illegible]
[illegible] ut consecrare [illegible] ante
[illegible] sunt et forte [illegible]
illa verba hec quotiescumque [illegible] habuit
actualem intentionem [illegible]
[illegible] ut [illegible] habuit
virtualem intentionem solum [illegible]
verba consecrandi [illegible]
deliberavit illud [illegible]
[illegible] de [illegible]
quod [illegible] et [illegible] intentio
[illegible] quod [illegible] consecravit [illegible]
[illegible] determi
[illegible] quia [illegible] verba
hic est [illegible] habuit actualem
[illegible] habitualem [illegible]
consecrandi [illegible] habuit [illegible]
quia habuit intentionem consecrandi
solum [illegible] verba hec quotiescumque et
hec [illegible] ad
illa verba [illegible] fuisset si habuisset
intentionem generalem consecrandi [illegible]
[illegible] verba [illegible] ad
Christo [illegible] instituta [illegible]
[illegible] quanti [illegible] fuerit [illegible]
[illegible] et quanti [illegible] non
consecravit ut timeo [illegible]
[illegible] consecrat
adorandum [illegible] sanguinem
Christi [illegible] et sunt [illegible]
[illegible] adorat
[illegible] sub speciebus [illegible]
[illegible] sanguinem Christi [illegible] sit
sola [illegible] si [illegible]
consecravit [illegible] sacerdos [illegible]
[illegible] et [illegible]
et [illegible] sanguinem [illegible]

sicut [illegible] allegavi
[illegible] sanguinem [illegible]
[illegible] fecit [illegible] institutionem
[illegible] sacramenti [illegible]
[illegible] et [illegible]
[illegible] sunt et [illegible]
[illegible] fecit [illegible]
sacramenti quod ut dictum est [illegible]
[illegible]
timeo quod [illegible]
[illegible] repulsio [illegible]
[illegible] ut [illegible] sunt
[illegible] celebrative [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] exponet et [illegible]
[illegible] agens [illegible] est
[illegible] sacerdos [illegible]
sacerdos [illegible] et
sanguinis [illegible]
[illegible] dictum [illegible]
[illegible] decepit
consecrative ut si sacerdos [illegible]
[illegible] hanc est [illegible]
[illegible] verba [illegible]
[illegible] possit
[illegible] de Christo ut [illegible] dictum est
quod [illegible] est [illegible]
hec [illegible] si [illegible]
est et [illegible] verba iteranda [illegible]
[illegible] iteranda [illegible]
[illegible] est quod [illegible] numerus
[illegible] et [illegible] de
[illegible] de [illegible]
[illegible] est [illegible]
[illegible] si [illegible]
probabilis [illegible]
[illegible] consecratio sit completa [illegible]

sacerdos [illegible]
an [illegible]

an verba sit
iteranda

Simili similiter sacramenti si non iterat
nec absente nec subditione. Sed quod est
faciendum in illa missa est non semper
sumenda cum [illegible] quod sine corpore
recipit si sacerdos esset post consecrationem
in sua missa [illegible] materiam
recipere sub intentione consecrationis.
Quod est consecratum recipio quod ut
consecratum sicut ut dicit de
quo est incertum nisi [illegible]
similiter quod [illegible] est cum propter
rationem eius ablutionis et si non
est consecratum quod propter [illegible]
sit reverentia Christi et sanguinis
propter quod et omnibus post
sanguinem [illegible] statim
[illegible] purum sive
de ablutionem. Item nota quod sicut
consecrantur sanguis calix non [illegible]
[illegible] capitur [illegible]
[illegible] solemnis [illegible]
[illegible] et rectus et obliquus
non consecrant [illegible]
diversa [illegible] et aliud sit
calix et aliud sanguis [illegible]
[illegible] ut sit [illegible]
sit non dicitur [illegible] non [illegible]
[illegible] sit aliud [illegible]
[illegible] Item [illegible]
idem est calix et sanguis sit
et solemnis dicitur [illegible]
[illegible] Item non dicitur sicut
hic est sanguis meus [illegible]
calix quod sanguis Christi [illegible]
[illegible] et non sit
[illegible] ut [illegible] Item
[illegible] consecrationis
quod illud [illegible] ut [illegible]
[illegible] ubi [illegible] sit
[illegible] Item sub [illegible] et [illegible]
in testamenti [illegible] confirmatur [illegible]

mortis Christi et effusione sanguinis
eius testamentum quod non est indisposito
defuncta hereditatis [illegible]
innovatum est et confirmatum [illegible]
[illegible] testatoris confirmatur testamentum.
Et sub [illegible]
hec est sanguis Christi effusio sunt
secretissima in fide et difficilia
[illegible] Est [illegible]
fidei. Item per [illegible]
[illegible] intelligentes [illegible] quare
est aliqui [illegible] et [illegible]
gentilibus [illegible] vel quod [illegible]
[illegible] sacerdotes [illegible]
orant et [illegible] probabilis
[illegible] et [illegible] subditos per
non [illegible]
ponere [illegible] Item [illegible]
est quod demonstratur [illegible] hoc non dicitur
hoc est corpus meum et [illegible]
[illegible] dicit Item [illegible] dicit
quod sacerdos [illegible]
[illegible] facit demonstratio
quod non [illegible] personas
[illegible] sed solum [illegible] et [illegible]
et [illegible]
[illegible] missis [illegible]
et [illegible] Item est [illegible]
[illegible] Christi et dicendum quod Christus loquens
Petro dixit tu es Petrus et super
hanc petram [illegible]
non [illegible] hac [illegible] et
[illegible]
quod sit [illegible]
[illegible]
[illegible] et [illegible]
hec est corpus meum [illegible] quo
[illegible] Christi et quod
Christus dixit. Item contra ipsum [illegible]
ponere arguunt [illegible]

q2

quod ut dicit [illegible] aspectu
non plus respicit [illegible]
[illegible] quam aliam [illegible] quadriges
[illegible] ut absente et non [illegible]
quod [illegible] accedens [illegible] et
[illegible] non fiet [illegible] quod [illegible]
[illegible] accedit [illegible]
sit [illegible] Item ut dicit [illegible]
[illegible] difficultas quod [illegible] Christi dixit [illegible]
[illegible] et accepit [illegible] Christo
[illegible] hic hec aliquid demonstrabat
[illegible] corpus Christi [illegible]
quod aliud esse [illegible]
difficultas [illegible]
[illegible] aliquid
[illegible]
[illegible] et quod [illegible]
[illegible] intentione
[illegible] et accedit
cum [illegible] Item [illegible] quod
Christus fecit demonstrativum [illegible]
et [illegible]
[illegible] hec [illegible] et
[illegible] demonstravit corpus [illegible]
in [illegible] Item [illegible] quod
[illegible] et [illegible]
[illegible] non demonstrat
ibi [illegible] sed
[illegible]
[illegible] ut [illegible] hec
[illegible] Item [illegible]
[illegible] ut sit [illegible] hic
[illegible] corpus
meum. Item hec significatio [illegible]
[illegible] est si [illegible]
[illegible] est [illegible]
[illegible]
[illegible] et [illegible] intentione est

[illegible] ut sit [illegible]
hec [illegible] hoc est corpus meum
Sed [illegible] non [illegible]
quod ut dicit [illegible] accedit ad ele-
mentum ut fiat sacramentum. Item [illegible]
non est [illegible] corpus Christi [illegible]
[illegible] sub [illegible]
[illegible] quod [illegible]
oculis [illegible] et [illegible]
[illegible] ut [illegible]
corpus et ipse [illegible] demonstrat [illegible]
[illegible] intentio sua. Item [illegible]
dicit quod [illegible] est demonstratio ad
[illegible] quod [illegible] hec demonstrat [illegible]
[illegible] in [illegible]
[illegible] in corpus Christi. Sed [illegible]
[illegible] Item [illegible] non sit quod [illegible]
[illegible] Christi non est [illegible]
[illegible] hoc [illegible] hec
[illegible] est [illegible]
alia [illegible] non [illegible]
[illegible] non [illegible]
demonstrat quod [illegible]
non [illegible]
[illegible] dicit quod est de-
monstratio mixta [illegible]
et [illegible] ut sit [illegible]
hec est corpus meum [illegible] illud
illud est [illegible] est corpus
meum et [illegible]
[illegible]
Item quod [illegible]
si [illegible] hec demonstrat corpus
Christi [illegible] non fiet [illegible]
[illegible] Christi [illegible]
[illegible] et ibi corpus Christi [illegible]
[illegible] hec Item [illegible] demon-
strat ibi [illegible]
[illegible] non [illegible] hec

[marginal notes:]

talis cum [illegible]

[illegible]

ad ipsum

ad eum

alii

B

ṗmo demonstrando hec tn̄ nl
e i in subst̄a panis et circa
eiꝫ et ultimi illorum e corpꝰ xpi
etc̄ ipso erit pla[...]c 2m nt 2m
q2 hꝫ e cui pnis tpis e in mte
1o ṁo demonstrat ṗbr ut fu
tm̄ Adplnd dt 1c modo ḡtaz
q2 hꝫ hec ṁo demonstrat corpꝰ
xpi pt q cn ṗfert q te pnnat
pt i corpꝰ xpi sed n̄ erit tn̄ n̄
subi panis insufficita aut mad
pꝰ xpi Andreas etiam dicit i ti
de ia via q ee pnis pmid pe
dit cnsi Dmno̷ mipe mq° p
fert demonstratio alio ptēp
qno ṗfert cno Dmno̷ no demo
[illegible]

[illegible]

[illegible]

sed solum mali sumunt venialiter//
corpus Christi propter quo modo quod sic tangit
Quare multa aliqui volunt dicere corpus
Christi vere carnaliter non sumi quia
non decet tantam sanctitatem eternam//
nostram et tam peccatum
et immundum...

[illegible]

plura huius sollicite eucharistiam vide
volentem quod exstat frequentan//
tem pacem Et ora sigas gratia//
malum sacerdotum qui impetitus contra
eandem confitendum accedit etiam aliqui
dicunt quod eadem nocte cum uxore sua
iacuit Secunda questio quantum sacerdos

2a questio

sciens se esse in peccato mortali peccat
tam conficiendo quam sumendo tamen
plus peccat in actu conficiendi quam
sumendi patet quia sunt duo actus digni//
et reverendi conficere tamen hec sacr//
bis sacerdotibus concessa quia sumere
quod est conficere concessum tantum sit
peccatum maius actui digniori se ingerere
quam actui minus digno indecen//
ter in peccato mortali [illegible] distin//
guere quod aut est negligentia//
sed [illegible] quia non recolit peccatum mor//
tale [illegible] est [illegible] peccat
quia [illegible] in peccato exempt
patet quia [illegible] dicit habet aut
se ipsum homo etiam nolens acce//
dere ad hoc sacramentum tenetur exami//
nare conscientiam suam secundum dilige//
ntiam nec fragilis [illegible] omnis
omnino [illegible] homo non
digne sumit Et ergo sine exp//
resum iudicium sibi manducat et
bibit Si autem non sit negligentia
crassa puta quod premisit exami//
nato [illegible] et nullum occurrit peccatum
de quo non sit aut fuit contritus et
confessus sic non peccat conficiendo
licet forte aliquod mortale late//
at quod traditum sit oblivioni
Et hec est 3a questio Quarta sit quod post
ipsam inquisitionem contritionem confessionem
sacerdos moreretur sollicitaret sacerdote
cum amore [illegible] conficiendi

quia audivit mortem [illegible] alias
quibus exponit se periculo conficiendo
et perfectissimum ut dicit prophetam de
licta omnia quis intelligit ab
occultis meis munda me Et applicatur
sic sed sine [illegible] iustificatum sit
Et etiam quod nescit homo an amore vel
odio dignus sit id est si sit contritus
sive sed [illegible] et sic peccato
mortali quibus conficiendo exponit
se periculo nescitur an [illegible]
tum peccatum [illegible] sacerdotes
[illegible] quia talis certitudo non
queritur [illegible] Dicat ergo breviter
quod diligenti inquisitione habita
et [illegible] fragilitate conscientia
secundum diligentiam fuerit prudens
in ardua re quia decet ex
aminare seriose ut oportet
[illegible] vite secundum [illegible]
[illegible] ut maiorem apponat
diligentiam quod forte [illegible]
est confessus et [illegible] in animo
posuit peccata sua ut ea memo//
rie teneat et suo tempore distincte
confiteatur et premissa contritione et
confessione [illegible] probabiliter
[illegible] ad [illegible] inqui
sitorum sic tunc [illegible] non peccat
Unde etiam si aliqua alia latent
peccata per illa inquisitorum dimit//
tuntur Unde Augustinus dicit in quo
dam sermone quod qui corpus Christi
manducat [illegible] mortalis
dicitur quod facta [illegible] discussione
et habita contritione et
confessione ad [illegible] ablutum dimit//
ti quod [illegible] de [illegible]
[illegible] peccata [illegible]
[illegible] sit dolet de [illegible]
[illegible] et sic [illegible] [illegible]

dom

44

55

unquam plus aliquod committe//
di et si sibi illud ablutum occur//
rerit in peccatis de ipso vere peni//
teat [illegible] sufficit ad delecti//
onem eius oblivioni sic de illo di//
stinguitur dicat [illegible] de pena
De tertio existente in peccato
mortali de quo sit penitet ut pe//
nitent sed non dum est confessus
nec absolutus [illegible] est pro//
[illegible] dicendum secundum
[illegible] quod si occurrat opportuni//
tas tenetur prius confiteri quam
communicare [illegible] est quia non
tamen debet celebrare deo sed
[illegible] ad hoc ut digne [illegible]
at sacramenta [illegible]
Si autem non occurrat opportunitas
confitendi si potest sine scanda//
lo evitare ne [illegible] tenetur
non communicare sed expectare confes//
sorem [illegible] pro [illegible]
dictum Si vero occurrat scanda//
lum nisi statim celebraret et
communicaret ut puta si [illegible]
et populus expectat missam
et [illegible] est occurrat
sibi [illegible] de peccato mortali de
quo non fuit confessus et non
[illegible] in peccato [illegible] confessio//
nem [illegible] contritione et volun//
tate confitendi tempore opportuno
potest celebrare ut scandalum vi//
tet Unde est dicendum si sit ce//
lebrat [illegible] de peccato mortali
[illegible] [illegible] ca//
none et [illegible] est de
alio [illegible] communicare qui non
celebrat ut laycus ut si
[illegible] aliquando [illegible]

vel collegio [illegible] non sacerdoti
[illegible] et si [illegible] tamen
[illegible] communicare occurrat [illegible]
peccato mortali [illegible] confessus
et non habet ydoneum confessorem
[illegible] communicare sine scandalo
[illegible] communicare et non
[illegible] quod peccaret quod [illegible]
scandalum [illegible] ut de [illegible]
[illegible] doleat et habeat firmum
propositum confitendi non potest [illegible]
copiam ydonei sacerdotis et [illegible]
[illegible] et [illegible] confitendi [illegible]
[illegible] Sabbato ad
[illegible] Et
[illegible]
[illegible] sacerdos [illegible]
[illegible] non peccat [illegible]
[illegible] communicare [illegible]
mortali [illegible] probationem [illegible]
[illegible] communicare ita tenetur

ad

laborare ut sit [illegible] peccatum mortale
[illegible] et sacerdos
[illegible] laborare quod sit
[illegible] peccatum mortale Si autem [illegible]
ut [illegible] de [illegible] [illegible]
[illegible] communicare
[illegible] mortalis olim
commissi [illegible] pena
[illegible]
[illegible] proprie
[illegible] et [illegible]
[illegible] opportuni//
tas confitendi Et [illegible]
[illegible] confessio//
[illegible] dicitur [illegible]
de [illegible] confiteri [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Sz q͛ si deuotꝰ ho ꝓ defensione
iusti uel innocentia uadat adduel-
lum / cum si daret denegatam satis-
factionem dr autem / si petit et requirit du-
ellum non est deum ? Si uero tm
sit requisitꝰ / si q͛ si sine intractu p-
derit bona et uita sine legem
patrie iij / credit q͛ si non daret
denegatam uel ... Vtrum cum ex-
men deum conscia ignoraret sit ne-
cesse q͛ depositione talibus condicionibus
Vbi dr clemens summo nec non
externo actio esse uel layco
deferantur ablatam xi admi-
sam penitentiam. Vnde sit tm qui
passim sententias penitentie indignis
impendens. Cum nosti si cunctibus
audi sup cum dauid ab abimalech
sacerdote interrogatus est in panes
propositionis si ad gregem ... Vtrum
cuba sit danda purgatione fra-
tri sui qui in conscientia sua talia
factum oblitum / dico q͛ cum debita
sit q3 tamen sepe uidetur dicit q͛ dicit
ar q͛ danda est cuba / mulier
uel tempore xii dum sit illi impugna-
tionem habet / si id non abrogatum
est et pro anno sicut non est / quia
illud est temptatio dei. Et
suspectus non est danda cuba
ex depositione rationis delicti. Vtrum sit
danda exigitatis. Et q͛ indignus
sacerdos dimittit eis deponet sic q͛
est enim dimittit et tamen potest
forte sacerdos ꝓbaret se ignorasse
illa fuisse exigitatam / dummodo
ratio tantum uel ... dispensat q͛
in ... omnes / si satisfaceret et
ei cum deum. Vbi dr Januario
epo q͛ illi quarum conscia ...

inuasit tunc exigitati ꝓduos
antequam. Si tamen mixtum parum
adhuc coram moreret benedictioni
ratione non placet. Vtrum sacerdos ꝓ
excommunicatis daret reddere subdito di-
cente se esse confessum alicui uel debet
ei cuba. Et q͛ sic. Sed tamen quod
libero q͛ infero iudiciali reddere
teneor. Contra si non potest inferre aut
criminali reddit posse et tamen si sit
sit impeditus tunc q͛ adforum iudi-
ciale pertinet ut exigitatio non
reddere tenetur sacerdos suo subdito q͛
exigitatum erit nisi ei de absolu-
tione constet. Si autem sit impeditus
non pertinet adforum penitentie si petitum
tenetur reddere et iuste agit si eis
denegat. Vtrum mediate tamen possit
sacerdos licite dare hostiam non con-
secrata loco consecrate. Et q͛ non. Contra
si accederet aliquis quem sacerdos
audiuit scit esse compertum non exige-
diret ad communicandum sanctum q͛ sicut
daret sacratum si daret si hostiam
consecratam loco consecrate adimitteret
scandalum. Et q͛ quod oriret si peniteret
eum repelleret. Et q͛ non debet si dare
peniteret non consecratam loco consecrate in ...
si peccaret recipiens et redderet se
consecratum et peccaret sacerdos si
simulando id peccatum esset
peniteret non consecratam dare si loco
consecrati propter cultum ... ut
... cepit reuerentia dei q͛
adhuc non est si deus ... consecracio
uerum est non est ... Et sacerdos
simulando hostiam non consecratam esse
consecratam est causa idolatrandi
populo. De crimine iudicatur ...

Vbi dicitur cum multis tempore fluxus
uel ... ut ... paratus sit de ac-
cepto statim. Et q͛ ... racione
Si tamen abstinent laudanda est.
Si recipit non est uitanda
... racione ... Sz q͛ de cle-
rico sit layco dicitur q͛ sit non est eis
denegandum. Sacerdos tamen legitur
prohibetur a celebratione et compul-
sio ... honore ... in consecrato
celebrandi si sine periculo possit of-
ficium adimplere non est sicut de
layco et clerico q͛ solum recipit
ad celebrandum quam ad receptionem.
Sed q͛ de nocturna pollutione. Et
q͛ si pollutio uenit ex crapula est
mortale et hoc habet sicut ad probandum
dubitaret dicitur enim ab sumere a cele-
bratione et receptione. Si autem uenit
ex crapula ueniali sine ...
... non impedit a receptione
sed prohibet de congruo a celebratione
non ... eminent. Si ... pollutio
prouenit ex superfluitate nature sine
... crapula ... uel cogitatione
turpi non impedit a celebratione uel
receptione si ... eminet uel
deuotio expostulat. Sed tamen indignitas
corporalis et ... consuetudines ...
introducta et ... si quis ... re-
uerentia abstineat est laudandus
potissime si sentit ... illa
... inclinasse ...
... Si uero sentit
... maius expedit est
et ... deuotio trahat uel ...
... aliquid aliud ...
recompenset arbitrandum est ...

sine remorsu posse uitari. Si
autem pollutio prouenit ex turpi
cogitatione ... mortali prohibet
de ... a receptione et celebratione.
Si autem prouenit ex turpi cogita-
tione ueniali prohibet de congruo
... apparet. Si autem pro-
ueniat ex mera illusione dya-
boli ... impedit ab utroque
q͛ ... aliquid ...
dyabolus permittat alias festa pro-
... et ... Si autem
... q͛ ... fructum spiritualem
impedire uellet ... pollutio
... ... culpa
... frequenter accidit et ...
... ... non
est abstinendum. Vnde ...
... fuit ... ut ...
... ... ut ...
dyabolus uidens se non posse ...
ab illusione cessauit ...
q͛ ... ... ita
de facili ... ... abstine-
re ... Et ut dicit de
abstinere ad xx horas ...
... ...
et ... consuetudine ... ordinata
fuit ... ...
... ... est ...
... Et dicit ... q͛ si indignitas
corporis perpetua sit tunc non impedit
... ...
uel ... fluxum ... uel
... Si autem si specialis et de facili
... tunc si sit ... dispositio
mente ... non prohibet ...
possit ... laudabilis abstinentia

Karta sit ph xpm Sr de qstide qqo berengarii Et ex decle amissa eu in marthe pma quo primo videndi e de qsito sbv dri ostratore cule pulsfeby pauis et vini fiant realit corpus et sanguis ibid xpi [illegible] dr gelu qr referende [illegible] adlii sleby hr e fide redde et ar [illegible] fidi eo amo q odit alii facti pticl adar lor fidi et ipa quo dit gne plurib [illegible] pbatid et [illegible] et qnd [illegible] dt [illegible] et lux xpi cut anterna ho e corpus meu hic e sanguis meu Et si heretici vellent ita aliu expone et dicere q ista cent figurate expo dicta [illegible] et id qd augo zo eo [illegible] cuit [illegible] et id pa [illegible] aut erat xpo illud vino e [illegible] anterneum [illegible]

[illegible] spiritus e q ministrat [illegible] dest [illegible] et vita [illegible] corpus et [illegible] [illegible] sacramentum [illegible] corpus xpi [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

panis corporis christi virtute conversionis
et non aliquibus duobus vel aliquibus pro-
cedit. Et tunc sequitur quod dum panis
[illegible] substantia [illegible]
[illegible] actu
aliud [illegible] sic quod [illegible]
et [illegible] et [illegible]
[illegible] desinat esse [illegible]
[illegible]
[illegible] substantia [illegible]
[illegible] et non [illegible]
[illegible] conceptio non [illegible]
adeoque actualiter [illegible]
[illegible] conversione [illegible]
que recipit de novo esse substantiam
non [illegible] adeoque actualiter
[illegible] Iuxta [illegible]
[illegible]
ad futurum [illegible]
[illegible] ad futurum [illegible]
[illegible]
[illegible]
[illegible]

[illegible]

esse conversio panis in corpus christi
[illegible] conversio [illegible]
non sit [illegible] corpus christi esse sic
et non [illegible] corpus christi [illegible] esse
vel [illegible] esse [illegible]
quod [illegible] non [illegible] corpus christi [illegible]
quod non [illegible] corpus christi non recipit
conversione [illegible] substantia esse
[illegible] recipit esse sic [illegible]
corpus christi esse sic [illegible]
[illegible]
[illegible] conversionis in corpus christi [illegible]
formali [illegible] esse corporis christi esse
sic [illegible] et [illegible]
[illegible] conversio [illegible]
quod [illegible] esse sic vel [illegible]
sic [illegible] quod fiat con-
versio panis in corpus christi et
quod [illegible] non fiat sic virtute con-
versionis [illegible] conversio [illegible]
[illegible] corporis christi [illegible]
[illegible] conversio [illegible]
[illegible]

[illegible]

ad suppositum negative. Sed contra sicut
sicut quod non possit probari quod panis desi-
nat esse simpliciter quia non apparet
modus quo desinat esse in rerum
natura ubi ad hoc quod non possit sic
quod desinat esse multi possunt esse
evidentes quod homo qui credit
modo sit desinit esse simpliciter
in rerum natura [illegible] quod
modo de evidentia et talibus [illegible]
per exemplum [illegible] quod aliquis
moriatur et desinit esse in rerum
natura quia talis evidentia est eius-
dem quod de eo non [illegible] ratio-
nabiliter rarissime [illegible] esse
[illegible] et [illegible]
per corrumpendi [illegible] aliquid esse
[illegible] et simpliciter desisse in rerum
natura. Item contra [illegible] quia
si esset verum tunc panis non annichi-
laretur [illegible] ita
[illegible]
adeoque [illegible] patet quod si
corpus Christi per conversionem annichi-
laretur esset verum quod panis annichi-
latus esset si [illegible] per annichilationem
corporis Christi non desinit panis
[illegible] non esse quia cum [illegible] an-
nichilatione desiit esse dicitur quod
panis non annichilatur [illegible]
[illegible] aliquid [illegible] quod si
corpus Christi annichilatur per conver-
sionem quod panis [illegible] annich-
ilatur et [illegible]
annichilatus et [illegible] annichi-
corporis Christi non habet esse [illegible]
[illegible] annichilari [illegible]
quod [illegible] mutatio [illegible]
aque [illegible] annichi-

latur panis [illegible] conversionis eius
[illegible] corpus [illegible]
[illegible] Christi
corpus Christi annichilatur per con-
versionem quod panis non incipit
esse annichilatus quia [illegible] an-
nichilatur [illegible] corrupta est
aliquid [illegible] esset [illegible]
forma esset annichilata [illegible]
esset verum quod fuit corrupta [illegible]
et [illegible] annichilata et ita [illegible]
[illegible] quod corruptus est [illegible] in aqua
genita [illegible] incipit annichilari
si [illegible] aqua annichilatur et ita
[illegible] Tertia conclusio est quod quibus
[illegible]
[illegible]
[illegible] quibus [illegible]
[illegible] ut [illegible]
esse [illegible]
[illegible] esse [illegible]
[illegible] remisse gradu [illegible]
[illegible] si non [illegible] maxime esset
quod [illegible] non possunt con-
verti [illegible] quod [illegible]
[illegible] adeoque [illegible]
[illegible] desiit esse [illegible]
[illegible] non possit [illegible] in lapide
[illegible]
[illegible] per [illegible] et
[illegible] non
[illegible] conversionis
[illegible] adeoque [illegible]
[illegible]
[illegible]
adeoque [illegible]
[illegible] conversioni [illegible]
et [illegible] Secundo

annexa [illegible] esse [illegible] sunt
[illegible] natura [illegible]
corrupta vel annichilata ita [illegible]
tot [illegible] esse [illegible] natura
[illegible] vel genita [illegible]
[illegible] quibus [illegible] possit [illegible]
corruptione vel annichilatione et
ab eadem [illegible] generaretur
[illegible] Secunda [illegible]
[illegible] non [illegible]
[illegible] desinere [illegible]
est desisti [illegible] quia
illud ex quo [illegible] sit desinere
esse [illegible] Sed contra [illegible]
dicitur possunt [illegible] ut dicitur
[illegible]
[illegible] possunt [illegible]
[illegible] et [illegible] possunt [illegible]
[illegible] dicitur quod [illegible]
[illegible] entitate [illegible] qua dicitur
[illegible]
[illegible] ut [illegible]
differenter. Sed si [illegible]
[illegible] differunt
nolle [illegible]
[illegible] facit [illegible] velle. Secundo
[illegible] quod si sit [illegible] converti
corporis [illegible]
[illegible]
[illegible]
[illegible] si [illegible]
[illegible] quod [illegible]
[illegible] esset [illegible] quod
[illegible] Si [illegible]
[illegible]
quod est [illegible] quod si [illegible]
sit [illegible] conver-
sionis [illegible] ita [illegible]

quod medietas [illegible]
et [illegible] non sit [illegible]
si [illegible] Sed
[illegible]
Christi est [illegible]
impediret [illegible]
[illegible] quia si [illegible]
esset quia [illegible]
et [illegible]
et [illegible]
[illegible]
[illegible] est [illegible]
[illegible] Quarta conclusio [illegible]
[illegible] panis [illegible]
corporis Christi [illegible]
[illegible]
Christi [illegible]
[illegible] quia [illegible] venit [illegible]
speciebus [illegible] et [illegible]
[illegible] esse [illegible]
[illegible] esse [illegible] ut [illegible]
[illegible] esse [illegible]
[illegible] Consequens [illegible]
[illegible] aliquod [illegible]
[illegible]
[illegible] ignis
[illegible] et
[illegible]
[illegible]
[illegible]
[illegible] et ita [illegible]
[illegible] de adventu [illegible]
[illegible] speciebus [illegible]
[illegible] quod corporis
Christi [illegible] speciebus [illegible]
[illegible] quia [illegible]

esse per eum ... ex hoc ...
... ipsis corporibus ... actualitatis
quod ... et amplius ... hoc quod ex
... ex adeo transformat
stat ergo quod magis ... plus desinat
... ex sic hoc quod reddatur in
... primo ... cum ... albus
quod dimensiones ... ex albedo non ...
... i dimensiones
... manet ... permanet
... ... gradum ut
duos ... magnam possemus
... aliud ... si ... est ...
... quod ... complexio
... ... eadem
aque et parum ... si ...
subiecto et ... complexio dissipat
... si esset ... frigida
parum et si esset ... subiecti
... ... ipso
... illa forma introducta
... complexio ... ...
... ...
... ... complexio
... ...
... ...
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... ...
... ...

adeo ... virtutes ... et ergo
ita ... destruit ... qualitates
ex complexio ... qualitas ...
ad ... ...
... destruit ... et ...
... destruit et ...
... ...
... ut ...
... et ...
... ut ...
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et ... ...
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... agens ... ...
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vini et inebriare possent ut
satis notum est ... ergo ...
... generat ... ...
... multi ...
... ... possit
... generari ... ...
... ... virtute agentium
naturalium ... ...
... ... agentium naturalia
... virtute ... ...
... ...
... ... et ...
... Si ergo ut ... doctor dicit
... ...
quod hoc fit virtute divina ...
... quod ... ...
... ... et ...
illius necessariis ... ...
... et ... eadem que
... et ... ...
... ... media ...
... ... et
... et ... necesse est
... ... ut ...
... dubito ... ...
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agentis ... ...
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et quanto ... et quanto
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[illegible]

[illegible]

[illegible]

11 2

[illegible]

dux (?) [illegible]

30

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] esse medium non poneret
aliquod [illegible] sibi [illegible] et eius appa-
reret facie [illegible] fieret de multo et
[illegible] [illegible] quia extra panis
[illegible] sic contradicit [illegible] [illegible]
[illegible] [illegible] non [illegible]
[illegible] de [illegible] quod est difficilius
[illegible] et [illegible] videtur
sequi [illegible] corpus Christi
esse [illegible] est [illegible]
[illegible] [illegible] [illegible] non sit
[illegible] panis [illegible] difficilior ad
[illegible] et [illegible] panis [illegible]
[illegible] [illegible] ponendo [illegible]
[illegible] panis [illegible] [illegible]
nobis data est ut [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et ydonea [illegible]
[illegible] ponendo [illegible] item [illegible]
[illegible] difficile est [illegible] videtur
sequi [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] sequitur
[illegible] [illegible] habet [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] panis [illegible] habet [illegible] ar-
ticulis quos habemus de [illegible]
[illegible] [illegible] non est tenendum [illegible]
[illegible] fidei [illegible] quod [illegible]
[illegible] [illegible] [illegible] quod ex-
[illegible] [illegible] est [illegible] vel
evidens [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] alio
habet quod [illegible] [illegible]
morti et [illegible] quod est [illegible]
fidei [illegible] quod exponit se

morti [illegible] [illegible] [illegible] [illegible]
[illegible] non esse in [illegible] panis [illegible]
[illegible] [illegible] [illegible] ubi [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible]
panis [illegible] Et [illegible] dicit Paulus
panis quem frangimus nonne [illegible]
corpus Christi est [illegible] [illegible] etiam
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] evidens [illegible]
dicens [illegible] [illegible] dicendo hoc
est corpus meum [illegible]
[illegible] panis non [illegible]
[illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] panis [illegible] non
[illegible] [illegible] panis [illegible]
panis [illegible] non demonstratur
[illegible] corpus Christi ut [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] non
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] corpus Christi et [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] est [illegible] panis [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ambo [illegible]
[illegible] loquitur et [illegible]

quam ibidem allegat [illegible] in textu
in decretis de consecratione [illegible] [illegible]
de consecratione distinctione 2 capitulo Ego Berengarius
ubi habetur quod postquam Berengarius
errorem suum revocavit [illegible]
[illegible] [illegible] [illegible]
et [illegible] verum corpus Christi mani-
bus tractari et frangi et fidelium
dentibus atteri et [illegible]
[illegible] [illegible] [illegible] confessionem Be-
rengarii Nicolaus papa [illegible]
Italie Germanie et Gallie
ut [illegible] [illegible] [illegible]
[illegible] et [illegible] gauderet
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] corpus
Christi [illegible] [illegible] [illegible]
dicta confessione quam [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] confessio Berengarii
est [illegible] [illegible] [illegible]
[illegible] [illegible] corpus Christi [illegible]
[illegible] [illegible] sacerdotum
[illegible] [illegible] [illegible]
[illegible] quod dicitur frangi atteri [illegible]
[illegible] [illegible] [illegible]
ad species panis Et [illegible]
[illegible] ponit Bartholomeus [illegible]
[illegible] [illegible] frangi [illegible]
frangi et atteri non dicitur respecti-
ve corporis Christi sed solum ad species
[illegible] Et probat [illegible]
[illegible] et [illegible] [illegible]
[illegible] Et [illegible] [illegible]
[illegible] allegat [illegible] [illegible]
[illegible] Christus [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] Bartholomeus

ibidem hortatur quod debet legere ut
[illegible] illud [illegible]
[illegible] Berengarius [illegible]
[illegible] heresim [illegible] Berengarius
[illegible] dubio [illegible]
[illegible] corpus Christi realiter [illegible]
dicit et [illegible] [illegible]
dicit Iacobus de Alta Villa quod papa
Nicolaus [illegible] et [illegible]
istam confessionem [illegible]
[illegible] [illegible] Et [illegible] illud
[illegible] frangi [illegible]
[illegible] [illegible] [illegible]
[illegible] forma panis [illegible] species
[illegible] [illegible] [illegible]
[illegible] species tenet sola [illegible]
[illegible] Et [illegible] corpus
panis [illegible] [illegible] [illegible]
species [illegible] Et [illegible]
[illegible] [illegible] corpus [illegible]
[illegible] [illegible] [illegible]
[illegible] species [illegible] [illegible]
sub [illegible] corpus domini nostri Ihesu
Christi [illegible] [illegible]
corpus domini [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] calix benedictio-
nis cui benedicimus nonne [illegible]
[illegible] est [illegible] [illegible]
[illegible] [illegible] [illegible] etiam
tenet [illegible] de hereticis
ad abolendam [illegible]
[illegible] [illegible] [illegible]
[illegible] ut [illegible]
de summa trinitate et fide katholica
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] corpus et sanguis in sacramento altaris

sub speciebus panis et vini [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

est anima secundum quam [illegible] dat esse cor-
poreum christo sensitiuum vegeta-
tiuum ut determinat ergo in illo tri-
duo [illegible] [illegible] dat esse
corporeum et anima [illegible] dat
esse christo. Contra illud oppo-
nitur [illegible] composita ex
anima fuisset [illegible] mortis
[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

3a qtio

[illegible]

[illegible]

aliud eadem ex celestibus [illegible]
[illegible] eadem [illegible] pote
ntia [illegible]
[illegible] dici [illegible]
[illegible]
[illegible] contradictoria [illegible]
[illegible] loco [illegible]
formam [illegible] et contrarie aut com
[illegible] loco [illegible]
[illegible] et contrarie calor in eodem
loco habebit frigus et contrarie
calorem [illegible] loco
[illegible]

[illegible]

XI

17

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

12

18

3a ratio

[illegible]

[illegible]

[illegible]

1a ratio

[illegible]

2a ratio

unus pro actiua spirituali per quam
alia ratio requirit adaequari prius
quam habeat esse locatus in re unius
partem tamen dispositio intrinseca
uolitiua quaecumque actiua spirituali
sit dicitur Secundo ipsius esse per principi
talis ipso principium corporis quam ipsius
ut ministra per haec aliquid
aeternum mouere spirituale tamen
ex parte principium agendi quia ex
parte eius prima parte probat
Scotus si per esset aliquis in lux
primo ipso ministra per eam
ubi illud in lumine illuminare et
loqui loquitur mentali
quo in his eius alias quod et
posset aliud in lumine illuminare et
alias loqui in omni quare illu-
minatio et locutio requiritur
quantum actiuum ipsius in illuminatione
et loquente et statim corpus ex
parte illuminati similiter fit semper
et fere approximatum secundum
diffinitio seu secundum approximatione
simile illuminantis ad illuminationem
loquentis et in loco non requirit
i locatur esse per omnem in loqui
ad loquitur aliis haec ad ista
per propositio. Secundo quare est aliqua
quod habeat quantum illuminandi
in loco et loqui etc. dicitur vide
super textu li 3 d 13 Secundo
est probat Scotus aliqua quod habet
potentiam motiuam secundum locum non
organicam sine non organice in-
clusa ex parte esse per motum talis
motus et per consequens haec ibi ac-
tionem mouere spirituale ex parte prin-
cipium quod non agit organice sufficienter
situatur admodum in loco uel

intelligentie et anime corporali ex
parte eius esse quam corpus est
motus localis actus localis aliquorum
anime quare in loco habet potentiam mo-
tiuam secundum locum non organicam
quare alias non posset esse prin-
cipium mouendi esse corporis nisi
secundum partes quia totius humani
organice ut in motu progressiuo
quod in parte secundum ipse una huma-
na quidem admixta actiua sunt
in loco ita est quantum ad potentiam
actiuam non organicam non est
quia una non habet per
ita in per in loco ad illo
si uideatur repugnantia corporis
apparet si quoniam non est
alia talis ipso organica ad partem
ex parte omnia quod ut dicit
secundo degnatione dignificata per
est una secundum motus quantum
est Tertio probat parte per actus
est Scotus primo per ipso actiua
est prima ipsius aliud mouendi
aliud ut motus et quod non
si per ut in ministra habet potentiam ac-
tiuam corporeum quare omnem formam
alterius quod habet maxima mali
est habet ubi ut ministra habet primi
cipium corporeum transmutandi
aliud et per consequens parte prima
quod aliud transmutare habet est
ubi ibi ipso corporea actiua Quarto
Scotus quod actiua destructo de ipso
dicit in ministri quanto est ex parte su
per ministra impedita
quae ut ex parte agentis ob
iecti uel medii habet illud

potentiam non per propriam
in actiua ex quo partes quod medii
est actiua ipsa sed ex parte prima in
posset in aliud transmutare quantum
dicit Scotus quare per in aliquo ipso
corporea actiua sibi respondere
quod est per potentiam quare
in actiua ut possibile
ut etiam possibile continui
Quinto Scoto quod dicitur
uita mentali semper mutatur
per degnatione etc. mentalis
erat est ministra fuisset multos
quod si consisteret uita mentalis
et per consequens constructa
sine fuisset quantum ad potentiam
sine motus motiua egisset in
constructa transmutatione
Sexto Scotus quod est conducta
tamen est sine motus in ex
omnium per non se quod sic agit
et motus non est adgna-
tionem prius per ministra
et illa adgnata per
motus sunt ut sed ut
alibi dicit est generat actus
posset in quod est ut sic
in ministra motus agit
construcca sine per motus
Septimo homo uiuet uita
quod dicitur per uiuet indiget
respiratione aeris et inspiratione
quare per est motus aere
suffocaret deficit
ut in desperatione
ut tactu e mane
ministra consisteret uita corporali
ibi inspirasset aere et
per corporali egisset in ad

Septimo Scotus quod corporis ut sic
non inspirat aerem respirat
per aliquem
ut in habet possibilitate
in corporis ut sic
mouere refrigeratio sicut et
in esse calidi et frigidi
continet ubi attractio
causa sicut generatio
ut ministra habet
motiua organice quod
est prima ipso non expedita sicut
quare secundum ipso potentiam
actiua et per consequens mouere
prius motum localiter organice
Scotus quod ipso prima actiua
organica et corporali per mouere
ut in parte prima acti-
ui mouere ut sic requirit
potentiam potentiam tamen
per approximationem ad locum
mouet alia localiter
alia non organica per
actu prima sic per et motus
parte secundum in mouet corporis
per approximatum per in loco posset
Secundo non per mouere corporis prius
ut sic quare ut illud corporis
ipso mouere diuina
quare non in ipso
est ita in posset mo-
ueri corporis prius ministra
aliud ut prius tactu
decernendum potest illud prius
corporis ut est
nec actiua diuina secundum
potentiam motus per quod
receptum actus per
actiua diuina
per corporis est receptum

forme commutationis ergo vox [illegible] ... [illegible]

[illegible]

[illegible] ... [illegible]

[illegible]

[illegible] hic eodem oculo [illegible]
[illegible] [illegible]
[illegible] huius vite [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] sit in corpore christi [illegible]
[illegible] oculo [illegible]
corpus christi [illegible] est ibi
[illegible] videt intuitive
Item arguitur [illegible] quod [illegible]
aliquo statu sola fide est credibile
[illegible] hoc alio statu non potest
videri [illegible] Sed corpus christi
[illegible] sola fide cre-
dibile est [illegible] viatoris
[illegible] vite [illegible] fide [illegible]
[illegible] videns [illegible]
[illegible] comprehendit [illegible]
[illegible] Secunda
[illegible] est demonstrata [illegible]
[illegible]

2a conclusio

[illegible]

esset basis [illegible] sub quo
videtur hostia et tunc corpus
christi et hostia [illegible] videretur [illegible]
equali angulo [illegible]
[illegible] videntur sub eodem angulo vi-
dentur equalia [illegible] corpus christi vi-
deretur eiusdem speciei et [illegible]
[illegible] basis [illegible] vi-
detur est rotunda [illegible]
[illegible]
[illegible] videtur corporali visione
[illegible] oculus [illegible]
[illegible] coloris [illegible]
[illegible] quando [illegible]
[illegible] et [illegible] corpus
[illegible]

[illegible]

se spec[ie]m et ita species videt[ur]
[illegible] modo omni[um] adplicatur [illegible]
modo q[ue] multiplicat se species
q[ue] [illegible] q[ue] [illegible] statim
dispone [illegible] quod agit [illegible]
aliud [illegible] dari [illegible] lux
se diffundet species ita q[uod] lux
alba [illegible] diffusa videt[ur]
[illegible] q[uod] [illegible] videt[ur] [illegible]
[illegible] [illegible] dicitur
[illegible] [illegible]
[illegible] visione [illegible]
[illegible] corpus [illegible]
[illegible] videt corpus [illegible]
[illegible] [illegible] [illegible]
q[uod] [illegible] [illegible]
[illegible] [illegible]
[illegible]

[illegible]

[illegible]

[illegible]

4ta q̃o

[illegible]

6ta q̃o

Sexta q̃o [illegible]

[illegible]

[illegible]

[illegible]

posset dici cum aliquo subiecto speciali [illegible] tunc [illegible] contrarie [illegible] tota [illegible] et [illegible] sit ignis et aqua [illegible] alia aliquo illud medium applicatum [illegible] frigiditas de aqua et ignis redderet illud aquam [illegible] [illegible] applicatur [illegible] quod totus esset [illegible] actio [illegible] et [illegible] infinita [illegible] aliqua [illegible] latitudo caloris [illegible] frigiditatis data [illegible] hac [illegible] corrumperet et [illegible] infinite velocitate alterari [illegible] resistentia agentis [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] forte infinite [illegible] tempora [illegible] quod [illegible] videtur quod quanto ad [illegible] equaliter [illegible] [illegible] agit [illegible] [illegible] applicatum quod totus [illegible] [illegible] [illegible] calefaceret [illegible] infinite [illegible] calefaceret illud [illegible] est tota [illegible] et agit [illegible] medium agentis [illegible] ignis [illegible] agit [illegible] aquam calefaciendo [illegible] [illegible] totum [illegible] [illegible] illud [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

longitudo aque [illegible] illum punctum [illegible] [illegible] quia totus ignis [illegible] libet [illegible] radiat [illegible] pyramide [illegible] ignis et [illegible] singule [illegible] [illegible] [illegible] pyramides [illegible] [illegible] a albedo [illegible] duobus locis radiaret [illegible] pyramides [illegible] [illegible] loca [illegible] in duobus locis [illegible] subiecto [illegible] agit [illegible] [illegible] et [illegible] duo gradus frigiditatis [illegible] latitudo [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] infinitum [illegible] quod ignis [illegible] infinite [illegible] illuminaret aere [illegible] [illegible] radios [illegible] [illegible] [illegible] [illegible] radijs [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ignis [illegible] infinite [illegible] infinite [illegible] illuminaret [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

et p(ro)p(ter) q(uo)d ipsa fr(igi)da roxime
mutaret(ur) q(uo)d p(ar)s adp(ro)ximata
(con)firmatio(ne) q(uia) (con)gresso toto m(ed)io
negata gn(er)a(ti)o sit ex igne i dicto
cau ut q(uia) cu(m) p(ro)duce(re)t igne(m) lum(en)
ut cu(m) (con)d(ition)e pyramide luc(is) (con)
gnata (est) p(ar)te ap(p)roximata ipsu(m) a(d) p(er)
(con)s(er)vand(um) aqua (con)vertit lumine totu(m)
p(er) una tota pyramide ip(s)a
p(ar)tes rarefaceret p(ar)tib(us) adduca(n)d(is)
(con)firmatio(ne) d(ic)tu(m) q(uod) dato q(uo)d
posito medio p(er) lucis (con)tinuitate
si (con)tinuare d(ebe)t radijs (et) fu(er)it
eu(m) tu(n)c p(er) q(uo)d h(oc) fieri obij(ci)et
(con)tin(u)o (con)tinuitate ut dic(er)e
p(ar)tib(us) (com)parabilis hoc ut (quod) a(d) si
ea p(ar)s (com)parabilis alij l(ibr)os (con)ti//
(n)uati(onis) intensi (con)ve(n)i(re)t (con)ti(n)uatio
(con)tinuitate tu(m) p(ri)ma u(er)o s(ecun)d(u)m ex//
tremu(m) et p(ri)m(u)s et s(ecundu)s et infinitu(m)
(con)tinuu(m) e(st) q(uo)d ap(er)tu(m) i(n) p(ar)te p(ar)tis
eradiaret infinita (con)cepit lucis
p(er) q(uia) si luc(er)et s(ed) (con)tinue(re)t p(ar)tiu(m)
(con)tinuare gradualit(er) intensi fa//
cie(re)t luce i(n) se infinita tu(m)
q(uia) (est) cau(sa) p(er) ita intensa p(er)
p(ri)ma l(icet) cu(m) ita extensa p(er)
p(ri)ma p(ri)mo u(er)o m(od)o (est) (com)posito
q(uia) q(ua)l(ita)s p(er) p(ar)t(em) (con)s(er)vatur igne lu(min)a//
di (est) eq(ua)e (con)tra p(ri)me date
p(ar)tis c(ir)ca p(er) p(ri)ma i(n) ut ea i(n) se
q(ua)l(ita)s c(ir)ca agere i(n) a(er)e (con)ti(n)uatu(m)
alij p(ar)ti c(ir)ca p(er) p(ri)ma et q(uia)
(con)tin(u)e toto igne i(n) finite a(er)e
illu(m)i(n)aret a(er)e p(ar)s ex p(ri)ori
fundato q(uia) u(na) p(ri)ma d(is)p(ar)it(er) (con)
c(ir)cederet toto q(uo)d (con)clud(it)
s(ecundu)m u(ir)t(utem) e(st) (con)modo p(ro)ducti
dato toto q(uo)d assu(m)it (con)tinuari d(ebe)ret

p(ri)ma (con)tra q(uia) i(n) eq(ua)e (con)cepit q(ua)l(ita)s
c(ir)ca agere et e(st) (con)gregatio q(ua)l(ita)t(is)
extre(m)itatis s(ecundu)m ad(ue)n(ien)s d(ic)te rate
p(er) d(ic)ta e(st) (con)d(itio) q(uia) (con)tinui rationi
ab alijs p(ri)mo i(n) q(uia) p(ar)tes eradi//
aret infinitu(m) (con)cepit i(n) luc(is)
eo q(uod) p(ar)tes i(n)finitu(m) (con)moraretur
p(ar)tiu(m) (com)parabilis i(n) p(ri)mo c(ir)ca p(ri)mu(m)
d(ebe)t u(ir)t(us) p(ar)tis sic (con)tinuaret s(ecundu)m
q(ua)e p(ri)mu(m) aliq(ua)e et plures i(n)
b(ona) et ce(r)ta sp(eci)es i(n) b(ona) i(n)
p(er) eas d(ebe)t lucere illa(m) c(ir)ca p(ri)mu(m)
(con)tinuare gradualit(er) intensiue
h(oc) (est) u(er)o p(ro)p(ter) (est) (con)tinuatio c(er)to s(ecundu)m
tu(n)c d(ic)itur s(ed) ut (con)tinuali
ut i(n)finitu(m) modu(m) et s(ecundu)m da//
to q(uia) i(n) e(ss)et infinita intensio luc(is)
tu(m) u(er)o p(er) q(uia) p(ro)p(ter) infinite i(n)//
te(m)p(or)e (est) p(er) radiale q(uia) agens
n(atur)ale n(on) p(ro)ducit agit s(ecundu)m i(n)tensio(n)em
u(ir)tut(is) s(ecundu)m q(uo)d h(abe)t s(ed) e(ss)et s(ecundu)m recta
extremitate req(ui)sita radiatio(n)e ut
ad h(oc) q(uia) recto gradu i(n)tensio(n)is
age(re) possit in et agens n(atur)ale
uniformit(er) calid(um) (et) u(er)o p(ro)ducit
s(ecundu)m suffici(enti)a(m) s(ed) e(ss)et s(ecundu)m eius p(ro)
fu(n)ditate q(uan)to tunc magis ex//
tendi actiu(m) u(ir)t(us) magis (est) repug//
na(n)s (con)tra igne(m) (est) exist(ent)e i(n) spa//
tio vacuo s(ed) (con)t(r)a exist(ent)e i(n) vacuo
suspend(itu)r actio n(atur)alis i(n) illatos eius
suffic(ienti)a i(n) p(ro)p(ter) p(re)dictu(m) modu(m) (con)tradi
ctio(n)is ra(tion)e n(atur)ali alienissimu(m) et
extremissima q(ua)e u(er)o re(rum) n(atur)ale
ex t(er)mi(n)o et statu n(atur)al(is) (con)p(ro)
p(ri)a suspe(n)d(er)et o(mn)is actio
n(atur)ale (et) s(ecundu)m modu(m) n(atur)alis p(er)
ip(s)u(m) n(atur)a (est) (con)tra (con)tra(r)iu(m)
q(uia) n(atur)alis (est) q(uia) agens n(atur)ale

(con)tra p(ri)us ex p(ro)p(ter) (con)tinui ut illo
to uel distantia respectu p(ro)p(or)t(i)o(n)ali
suspendi(tur) eius n(atur)alis a(d)eo ut
d(ic)ta ex sua loca sua actua(liter)
gravia et p(ro)ducunt motu(m) c(ir)ca
et tu(n)c sicut rat(io) suspendi(tur) (et) h(oc)
contra alio i(n) asc(e)nd(u)nt p(ro)p(ter) illu(m)
modu(m) alienissi(mu)m p(er) h(oc) d(ic)i uel
extendi suppo(n)itur (con)t(r)a si ignis
sic leuis d(ic)to m(od)o (con)tinue aq(ua)e
ut a(er)i derelinqu(er)e (con)tra sic
(con)fundit suff(icie)nter i(n) (con)tra(r)iu(m)
eius (er)at ex aqua (con)c(er)nit si ead(em)
ead(em) toti eius sit p(ar)tis ut n(on) si
p(er) t(ot)a(m) q(uia) i(m)p(ossibi)le (con)stitui i(n) q(uo)
ignis (est) ex tota aqua p(ro)duct(us)
i(n) s(ecundu)m ignis subito sic(ut) abstract(us)
m(ateri)a(lite)r a toto spatio eius q(uia) tu(n)c (con)tingit
n(atur)ae si n(on) p(er) q(uia) p(ar)tes eius q(uia) sunt
(con)tinua distrib(u)unt suff(icie)nter p(ro)p(or)tionem
eius i(n) s(ecundu)m i(n) (con)tinuitate rect(a)u aq(ua)e
q(uo)d (est) (con)tra posita i(ta) (con)tra m(od)o i(ta)s
gratis i(n) p(ro)p(ter) p(re)dictu(m) modu(m) (con)tradi
ut dicitu(r) u(er)o leuitas ignis
exist(ent)e i(n) vacuo n(on) p(ro)pellet a(er)e ali
quod d(ic)tu(m) (con)tra q(uia) desinit
i(n) suff(icienti)a et d(ic)to tu(n)c s(ecundu)m sic
q(uia) h(abe)t i(n) illis actiu(m) n(atur)ales s(unt)
q(uia) agere i(n) passu(m) d(ic)te s(ecundu)m applica//
tu(m) ut i(n) p(ro)p(ri)a n(atur)a redeundo
s(ecundu)m ad intrinsecas reflexe p(er) reflexio(n)e(m)
radiorum c(e)lest(ium) (con)tinente uacuo
a(er)e p(ro)p(ter) n(on) recipi c(ausa)s ex suff(icie)nter
eius eo m(od)o q(uo) sit reflexio luc(is)
a(d)nexo c(e)li (est) q(uo)d explicatur illu(m)
tempus (est) et p(ar)s q(uia) exist(ent)e in va//
cuo m(od)o suspendit o(mn)e(m) actio(n)e(m)
agentis n(atur)alis sta(n)te applicatio(n)e
passi d(ic)ti ita ut (con)p(ro)posito q(uo)d
u(er)o si ignis (con)tra i(n) ca(usa) et (es)t

(con)tinua (con)tra (con)tra(r)ius (er)at ex aqua
q(uia) ead(em) (est) p(ar)tis toti eius et (er)it
q(uia) ex (con)tra(r)i(u)s tunc i(n) s(ecundu)m ignis
subito fieret abstract(us) m(ateri)a(lite)r a toto
spatio eius q(uia) (con)tinuit q(uia) (con)tra h(abe)t
p(ro)p(ter) p(ri)us fieri (con)tra possib(i)l(e) (con)tra d(ic)to
tu(n)c aliq(ui)d (con)cedit ead(em) posito
fieri possib(i)l(e) i(d) (est) d(ic)ta derelicta s(ecundu)m
possib(i)l(e) d(ic)i q(uia) (con)tradic(i)to c(ir)ca n(on)
n(ec) (con)tra p(ar)s i(n) ignis erit ex
tota aqua (et) alia ut ex toto
eo q(uia) (con)tra u(er)o r(ati)o q(uia) p(ro)portio
exibit q(ua)e d(ic)ta ut ex toto eo
q(uia) q(ua)l(ita)s p(ar)tis et toto igni (est) eq(ua)l(ite)r
(con)tinuo (con)tra q(uo)d sit exigit
(et) q(uia) d(ic)at p(ri)mu(m) (con)stat i(n) q(uo)
toto ignis sit ex aqua s(ecundu)m illu(m)
m(od)o (con)tra q(uia) q(uo)d p(ri)mu(m) i(n) stat i(n) q(uo)
(est) derelict(us) n(atur)ae sic q(uo) ad mo//
tu(m) (est) (con)tra(r)ium (con)stitu(i)t sic n(on)
(est) ex aqua q(uia) i(n) d(ic)to m(od)o (est) ex
et i(n) (con)tinuato p(ro)p(ter) i(d) erit ex q(uo)d
nullu(m) passu(m) n(atur)ale natu(m) (est)
rape(re) aquam i(m)pressio(n)e(m) a(er)e n(atur)ali
s(ecundu)m derelicta (et) applicata s(ecundu)m u(er)o (con)
(con)firmatio(ne) ut p(ro)p(ri)a(m) n(atur)ale exi(st)e(n)do
applicatio(n)em i(n) re n(atur)alis posita
(con)tinui h(abe)t i(n) q(ua)l(ita)te p(ro)duc(itu)r (con)tra
n(on) agit sic (con)tra derelicte (con)tra
(est) (con)tra et (con)tra sit euide(n)s ex
(con)tra ut (con)venien(s) p(er) r(ati)o(n)e si(mi)l(ite)r
n(atur)ali ut (con)venit (con)tra (con)tinuitate
(con)tra(r)ia machina a(er)e(m) sup(er)nali
i(n) q(uan)t(u)m (con)tra p(ro)babilis q(ua)e eius (con)tra
(con)tra p(ar)te si (con)tra (est) d(ic)tu(m) i(n) (con)tra
sit bona (con)tra (con)tra (est) n(atur)a p(ro)p(ter)
(et) s(ecundu)m exigi (con)tra (con)tra p(ar)tiu(m)
(con)tra (con)tra d(ic)tu(m) (con)tra applicatio(n)e (con)tra
q(uia) sit euide(n)s ut d(ic)at (con)tra d(ic)tu(m)

1mo q^2

q^e in[illegible] de causa anti[illegible]//
ordinem eius et de aliis de quibus
[illegible] [illegible] Primo querit[ur]
in qua effigie appareat corpus Christi
in hostia. Et possit dici quod apparet
sub effigie [illegible] rotundi [illegible]
[illegible] quales in hostia [illegible]
effigie humane corpus. Secundo est quod
in [illegible] [illegible] [illegible] hostie apparet
color et lux [illegible] corpus Christi
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] speculi [illegible]
[illegible] appareat effigies [illegible] color
eius [illegible] [illegible] [illegible] spe//
culi. Et possit dici quod [illegible]
corporis speculum [illegible] infra
[illegible] hostie [illegible]
[illegible] linea longitudinis. Christi. Et [illegible]
est quod [illegible] [illegible] ho//
stie [illegible] et [illegible] tanta quam
longitudinis [illegible] [illegible] corporis [illegible]
[illegible] [illegible] [illegible]

[illegible]

quantum de exitu ignis [illegible]
[illegible] possit dici quod [illegible]//
[illegible] adulla[illegible] [illegible]//
[illegible] [illegible] [illegible]
quam [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] lapide [illegible]
[illegible] lapidis [illegible]
[illegible] [illegible]
[illegible]

[illegible] et [illegible] aliud [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et
ita [illegible] [illegible]
lapis [illegible] [illegible]
[illegible]

[illegible]

[illegible]

[illegible]

Venit dies azimorum in qua necesse
erat occidi pascha et consideran-//
dum est quod Christus celebrate
mortuus ut manducaret pascha. Ex hoc patet
quod prima die azimorum scilicet xiiii
luna comedit agnum paschalem
[illegible] id est [illegible] ad [illegible] alle-//
gatum est et xiiii die erat preceptis
hoc est quarta decima dies integra
preceptis pasche et prima die pascha
est xv et prima hora qua comedi
debuit agnum paschalem similiter
[illegible] scilicet xv die mensis quando
comederunt Christi [illegible] agnum pa-//
schalem et tunc [illegible] azima co-//
medebant ut inveniebatur
fermentatum in finibus Israel in //
azimis [illegible] Christus [illegible] ad //
[illegible] et [illegible] dactiles [illegible]
tenendo quod non est de mente [illegible]
omnis [illegible] azimis
[illegible] fermentatum quod [illegible]
[illegible] pro [illegible] fermentato
non [illegible] et fermen-//
tatum et in [illegible] gravis
est [illegible] [illegible] ut
tenent doctores [illegible] ex-//
dio [illegible] [illegible] usque
adhuc [illegible] tu circa [illegible]
azimo. Et hoc ad extinguendam
heresim hebraicam qui dicebant
quod de mente salutis [illegible]
habent tu observantia [illegible] ob-//
servare ceremonialia et legis
precepta et [illegible] celebrandum //
azimis et precepit circa [illegible]
[illegible] [illegible] sacrificii
[illegible] [illegible] [illegible]
viderent. Quod cum [illegible] aliquos

annorum [illegible] in dicta heresi
[illegible] extirpata [illegible] //
[illegible] [illegible] [illegible] //
di [illegible] [illegible] et re-//
[illegible] eo quod clare deducitur
[illegible] [illegible] [illegible] ut
[illegible] scilicet [illegible] et [illegible]
quod xii [illegible] [illegible] et
[illegible] circa celebrabat
quia [illegible] circa [illegible]
quod [illegible] [illegible] [illegible]
ut dicit [illegible] [illegible]. Bar-
dotes [illegible] [illegible] [illegible]
[illegible] [illegible] in fermen-//
tato [illegible] [illegible] [illegible]
quadris [illegible] [illegible] [illegible]
[illegible] azimo ut [illegible] in
de mente [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] //
[illegible] [illegible] [illegible] maxime in
[illegible] habeatur [illegible] [illegible]
scilicet xii [illegible] [illegible] id [illegible] //
[illegible] celebrandum [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] magis [illegible] celebrat
[illegible] [illegible] [illegible] [illegible]
[illegible] quod Christus [illegible] in fermen-//
tato [illegible] id [illegible] [illegible] //
[illegible] quod debet [illegible] [illegible]
de agno paschali [illegible] immolabat
xiiii luna. Et quod cum pascha [illegible] //
[illegible] [illegible] erat scilicet immolatio
agni et comestio [illegible] [illegible] //
[illegible] [illegible] immolabatur xiiii luna
ad vesperam et xiiii luna [illegible]

[illegible] [illegible] [illegible] [illegible] //
[illegible] fuit [illegible] et fuit
[illegible] et immolatio [illegible]
immolationem comestio [illegible] [illegible]
[illegible] comestio [illegible] agni
[illegible] comedebatur xiiii luna
ad vesperam et [illegible] xiiii luna
[illegible] [illegible] agni [illegible] [illegible]
[illegible] [illegible] [illegible] ad comedendum
et [illegible] [illegible]. [illegible]
ad aliud [illegible] [illegible] quod ut [illegible]
[illegible] id [illegible] [illegible] [illegible] //
[illegible] ut [illegible] [illegible]
[illegible] ut manducaret pascha et
id fuit comedendum xiiii luna [illegible]
agnum paschalem xiiii luna [illegible] //
[illegible] xiii [illegible]. [illegible] [illegible]
pascha [illegible] [illegible] [illegible]
[illegible] prima hora [illegible] immolabatur ag-//
num et prima fuit [illegible] xiiii et
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] pascha ag-//
num [illegible] et [illegible] [illegible]
[illegible] comedere pascha. [illegible] agnum
[illegible] [illegible] pascha [illegible] immolatum
[illegible] xv [illegible] dies festi azimorum
[illegible] erat luna [illegible] [illegible]
dies festi azimorum [illegible] pa-//
scha [illegible] [illegible] pascha [illegible] pa-//
[illegible] [illegible] [illegible] azimi [illegible]
[illegible] [illegible] pascha [illegible]
allegata [illegible] [illegible] [illegible]
[illegible] azimo [illegible] [illegible]
medere agnum paschalem [illegible] //
[illegible] die [illegible] [illegible] debebat
[illegible] [illegible] ut prima die re-//
[illegible] [illegible] possent comedere
pascha in azimo pane [illegible]
[illegible] [illegible] [illegible]. [illegible] [illegible]

[illegible] [illegible] ut [illegible] [illegible]
possent [illegible] [illegible] xv [illegible]
comederit agnum paschalem die
[illegible] [illegible] [illegible] [illegible] //
[illegible] legis tenent [illegible] [illegible] [illegible]
erat [illegible] legis [illegible]
observator comedit pascha [illegible]
[illegible] [illegible] [illegible] die [illegible] //
[illegible] [illegible] in lege [illegible]
ad aliud quod Iudei [illegible] [illegible]
[illegible] festo [illegible] [illegible]
Iudei [illegible] [illegible] [illegible] die
festo [illegible] [illegible] [illegible] [illegible]
die azimorum quod erat festum
dies [illegible] [illegible] occidi. Et [illegible]
[illegible] [illegible] quod [illegible] dies azimorum
[illegible] erat festi [illegible] [illegible] [illegible] //
[illegible] et [illegible] xiiii luna [illegible] //
[illegible] quod fuit dies [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
xiiii die [illegible] [illegible] [illegible] erat
[illegible] [illegible] azimorum [illegible] //
[illegible] [illegible] pasche et [illegible] die
[illegible] [illegible] [illegible] [illegible] die festo
pasche [illegible] [illegible] illo [illegible] //
[illegible] [illegible] xiiii deinde sabbatum
quod erat [illegible] [illegible] dies fuit
festo maximus [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] celebrate
et [illegible] [illegible] et [illegible] [illegible]
[illegible] Iudei [illegible] [illegible] //
[illegible]. [illegible] [illegible] [illegible] [illegible]
xiiii luna [illegible] [illegible] immola-//
bat agnum et comedebatur
[illegible] azimis [illegible] [illegible]
[illegible] prima dies azimorum
et [illegible] [illegible] die festo pa-//
sche et [illegible] [illegible] [illegible] dies
[illegible] [illegible] dies azimorum

[illegible]

sit cum a (con)secratis sanguis cum
(con)pris transeat i (com)muni (con)iuncto
q(uod) de admixtione aque in vino
quo admisserat (con)gruum sit et
sit aliqua sit (con)iunctio e (pro)p(ter) de
h(oc) si aliqua gutta aque vino sup(er)
fundatur (con)iunctio admixtioni
reiteranda et in dicto [illegible] si aliquam
met aut morale [illegible]
forma tunc calix (con)secratus non
tm erit potius sp(eci)al(iter) [illegible]
roe aque admixte et ita
[illegible] q(uod) p(ro)p(ter) [illegible] sup(er)io(rum)
sanguis cum liceat iterato sumere
ut iterato celebrare [illegible]
mo erit [illegible] q(uo)d aut (con)tra
e contra iterato esse [illegible]
[illegible] et in [illegible]
[illegible] q(uod) aliq(ui)s co(m)m(un)i(ca)
[illegible] aqua [illegible] et si
aliquis ut sepe in vino [illegible]
omnis [illegible] (con)secrata [illegible]
et [illegible] statuet q(uod) h(oc) [illegible]
[illegible] (con)secrata ex [illegible]
[illegible] etiam [illegible] [illegible]
sup(er)io(rum) sanguis in q(uo) tn sup(er)
fuerit aqua [illegible] ad
[illegible] q(uod) etiam
[illegible] h(oc) [illegible] (con)venit
celebrand sumit q(uod) aliquam aq(uam)
cum [illegible] et ego [illegible]
voluit [illegible] celebrare [illegible]
aqua in sanguine [illegible] q(uod)
ex statuto esse [illegible] cum (con)secr(atione)
[illegible] sumpsit enim [illegible]
q(uod) aliunde [illegible] sup(er)
[illegible] admixta facto [illegible]
esse [illegible] [illegible]
[illegible] sanguis etiam
[illegible] plus de vino

q(uod) de aqua [illegible] et nol
[illegible] huius [illegible]
[illegible] deberet iterato celebrare
et [illegible] sit [illegible]
[illegible] de [illegible] posset (con)secrare sanguis
[illegible] et [illegible] q(uod)
[illegible] e [illegible] quod e [illegible]
in [illegible] in [illegible] [illegible]
[illegible] ut [illegible]
ut [illegible] [illegible]
[illegible] sanguis in sit [illegible]
[illegible] sp(eci)e(m) [illegible]
[illegible] (con)feret [illegible] ad
[illegible] in [illegible]
[illegible]
[illegible] alia e [illegible]
alie [illegible] desit [illegible]
[illegible] ut [illegible]
[illegible] est [illegible]
et [illegible] (con)secr(atione) [illegible]
in e [illegible] [illegible] et
[illegible] de [illegible] e [illegible] fi
[illegible] et [illegible] [illegible] q(uod) [illegible]
dt [illegible] dt [illegible] q(uod)
recipit [illegible] longe [illegible]
liquide [illegible] h(abe)t [illegible]
dt [illegible] (con)secr(atione) [illegible]
[illegible] e [illegible] (con)secratus
[illegible] et [illegible]
[illegible] i decet [illegible]
[illegible] si alias [illegible]
[illegible] dici [illegible]
[illegible] declarat qua(n)t(um)
[illegible] et [illegible] i q(uod) quod
dixerit q(uod) [illegible] quanta
[illegible] sit [illegible]
[illegible] ita q(uod) [illegible] (con)secrare [illegible]
[illegible] id dicit non stat [illegible]
[illegible] [illegible]

posset (con)secrare tot hostias q(uo)t (com)
munic(an)te h(ab)et multos parochia
nos (con)dere dt [illegible] q(uod) [illegible] forma
(con)secrationis [illegible] demonstratio
hec et q(uod) [illegible] (con)ficienda dicet
re tota parte [illegible]
[illegible] sit (con)secrare [illegible]
in altari ut toto [illegible]
e [illegible] ut [illegible]
[illegible] sed quantumq(ue) erit
[illegible] et [illegible] tota
parte [illegible] q(uod) [illegible]
(con)secrare [illegible] q(uod) [illegible]
et [illegible] restrictiva
et [illegible] et [illegible] (con)stituit
et [illegible]

Q[illegible] 13 [illegible]
quibus sacerdos [illegible]
[illegible] p(ro)ficere [illegible] (con)secratos
[illegible] dicta [illegible] etiam
(con)veniente [illegible] posset (con)secrare [illegible]
[illegible] q(uod) [illegible] ad
[illegible] malediction
[illegible] et [illegible]
[illegible] et
[illegible] sel [illegible]
[illegible] adeo maledic
et [illegible] p(ro)mittit
[illegible] (con)tinuari [illegible]
[illegible] (con)sistit i s(acerdos)
[illegible] p(ro)fert (con)secrare [illegible]
[illegible] missa [illegible]
[illegible] [illegible] sed
[illegible] (con)secratos et [illegible]
e [illegible] mobilior [illegible]
laycus [illegible] (con)ferre [illegible]
sacerdos [illegible] dispensare
[illegible] et (con)secrare [illegible] gratia [illegible]
[illegible] laurent(ius)
sunt [illegible] in (con)missa sunt

dispensare [illegible] ut [illegible]
[illegible] papa et [illegible]
[illegible] diaconi [illegible]
si [illegible] nisi [illegible]
[illegible] qui [illegible] sacerdos [illegible]
[illegible] (con)secrandi
[illegible] ad [illegible]
[illegible] q(uod) [illegible] h(abe)t karacterem [illegible]
[illegible] (con)deliber [illegible]
[illegible] (con)secrandi et
q(uod) [illegible] (con)secrare h(abe)t
[illegible] sine [illegible]
[illegible] le [illegible] le [illegible]
[illegible] sunt [illegible]
[illegible] offerre sacrificium
[illegible] etiam e [illegible]
[illegible] h(oc) [illegible]
[illegible] offerre
[illegible] id sunt [illegible] hic
[illegible] (con)sistat posse
[illegible] missi [illegible]
et [illegible] ita q(uod) si [illegible] facere
[illegible] intendit [illegible] posse
ordinate facere et [illegible]
[illegible] plus [illegible]
ordinate [illegible]
[illegible] posse [illegible]
[illegible] requirit [illegible]
et [illegible]
[illegible] requirunt [illegible]
q(uod) sit sacerdos q(uod) posset p(ro)ferre
[illegible] et posset [illegible]
[illegible] intendit
intendit facere [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
et [illegible]

cepts excõicatis ¶ tunc dicta are[illegible]//
recedes de gradibus suis et spir[illegible]
[illegible] suo per [illegible] omne et p[ri]uat
privilegio spirituali clericali et
reddit curie seculari ¶ [illegible]
[illegible] qui seculares degradati
sunt [illegible] potestate [illegible]
[illegible] potestate [illegible] sacerdos
non offert [illegible] quid [illegible]
[illegible] [illegible] [illegible] et [illegible]//
[illegible] [illegible] abs[illegible]
[illegible] offerentes et
non offerens ¶ [illegible] [illegible]
[illegible] [illegible] [illegible] ab//
[illegible] curie [illegible] ex//
[illegible] [illegible] [illegible]
heretici [illegible] et degradati
[illegible] [illegible] curie alieni et
separati ¶ [illegible] [illegible]
[illegible] opposite [illegible] et [illegible]
[illegible] [illegible] ¶ [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de//
[illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]//
[illegible] [illegible] [illegible]
[illegible] de [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] altare ut [illegible]//
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] ¶ [illegible] ¶ [illegible]
[illegible] degradati degradat [illegible]
[illegible] karacterem dele[illegible] [illegible]
[illegible] [illegible] [illegible]//
[illegible] [illegible] possit [illegible] [illegible]//
[illegible] [illegible] [illegible]//

[illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] de//
[illegible] [illegible] [illegible]
[illegible] illud pauli [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et
[illegible] qui degradati [illegible]
privilegio clericali et tradit[illegible]
curie seculari [illegible] qui degradati [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] qui [illegible] [illegible] sacerdo//
tal[illegible] et [illegible] [illegible]
[illegible] tradi [illegible] [illegible] de//
privilegio [illegible] [illegible]
quod privilegium [illegible] degradati
[illegible] de [illegible] exigentibus ad//
[illegible] [illegible] [illegible]
[illegible] quod [illegible] possunt et [illegible]
degradati [illegible] potestate [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et
[illegible] ita [illegible] [illegible]//
[illegible] [illegible] oblatio [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible]//
[illegible] [illegible] ut [illegible]
[illegible] [illegible] aptitudina[illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] curie [illegible]//
[illegible] [illegible] heretici et

[illegible] heretici [illegible] [illegible]
[illegible] [illegible] curie [illegible]
[illegible] [illegible] [illegible]
quod [illegible] [illegible] et quod
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible]//
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] ¶ [illegible] [illegible]//
[illegible] [illegible] [illegible]
[illegible] curie [illegible] [illegible]
ut [illegible] ad executores [illegible]//
[illegible] [illegible] [illegible]
¶ [illegible] [illegible] [illegible]//
[illegible] posse quod [illegible] ut [illegible]
[illegible] ut [illegible] loquitur [illegible]
[illegible] [illegible] [illegible] ad [illegible]//
[illegible] [illegible] [illegible]
[illegible] reddit ¶ [illegible] [illegible]
[illegible] [illegible] [illegible]//
[illegible] quod [illegible] [illegible]
ad effectum [illegible] ut [illegible] ex
forma curie [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] intelligitur [illegible] [illegible]
curie [illegible] [illegible] quod [illegible]
et [illegible] [illegible] curie [illegible]
[illegible] [illegible] [illegible]//
[illegible] non posse [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible]//
[illegible] et [illegible] [illegible]
[illegible] ad [illegible] et salutem
ut [illegible] [illegible] [illegible]//

[illegible] [illegible] et ita [illegible]
¶ [illegible] heretici [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] heretici et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] curie [illegible] [illegible]//
[illegible] [illegible] [illegible]//
[illegible] ut [illegible] [illegible]
[illegible] curie [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] ¶ [illegible]
[illegible] [illegible] [illegible]//
[illegible] [illegible] et [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] et utilitate [illegible]
quod [illegible] [illegible] [illegible]
[illegible] ¶ [illegible] [illegible]
[illegible] [illegible] [illegible]
aliquam excellentiam [illegible]
[illegible] [illegible] [illegible]//
[illegible] [illegible] et [illegible]
[illegible] et ita [illegible] [illegible]//
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] arguit
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] excõicatis
[illegible] ¶ [illegible] [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

etiam consecrati ut e dna//
nigrantibus et sigi Set eo esm
Scotum quia cum e uasche geri//
ecclesia speciali quod preceptum obli//
gacionis sue ad celebrandum hi
ut illi loco noluit operdere
obseruacionem precepti decalogi
de sanctificacione sabbati quod preceptum
etiam manifestatum est de audiendo
missam die dominico de tempore
quando non omissat Set cum dicit
quod constringi ad obseruacionem ma//
iorum maiora precepta admin//
omnium precepit est 1us loci ex//
ceptis sz hinc ut dicitur Ex de
cele miss ea est Sine igne
sacrificabat aqua et signum est ma//
dempnum quod officio et ministerio spi
refectus precepto/ de loco immobili
sz deuanse est dispensio quia
remota est altari quod dicitur esse
lapideum dicitur consecratum altare lapi
lapideum cum sit cismatus
amittit cum consecrauit Papa p//
quicunque sit calix et patena
quod dicit de deaurato et argento
ut comprehendit cuius admin//
destinatus de consecracione et calix
dicit ad preterea si cum ex auro
cum ex argento fiat si aut
quod in stagno est ut stans permanen
caliter Set ex aut an//
reliquo cum fiat quia aliorum
metallis rubiginem sed rubi//
gine per ex uomitum prouo//
cat aut ex ligneo ut altero
conformat celebrare de uitro
quod est cum fragilitatem
saginis periculo exponitur de//
ligneo propter ambustionem humoris

Post uasa dicit de alia consecrata
alias missis celebrans cum cele//
brante celebrauit de altari sz
de consecracione coniunctis et duobus
sequentibus et sed si altare
sit fixum sed portabile cum est
insignia digna et quod altare sed
fixum sed mobile sed propter te
de cum enormis fractum ex di//
quod est altare ubi dicitur quod si la//
pis benedictus fiat motu uel
enormis fractus de iterum benedi//
cendum est quod calice de consecrato et
patena ut sic ex ornamenta
altaris Set superpellicium sit dependen//
omnia de consecracione est causa et est
quod 1d supplicio reoperit admini//
loco calicis et sepe quod dicit
collocatum super altare consecratum
sed ex cruce consecrato sed sit pur
anime consecratum ubi requirit
quod eius deponit aliis sit sa//
ncti purpurus pluribus ad aliud sa//
cristate Aliud attendendum est secun//
dum expte tempus de quo tenetur est
ut dicitur Secundo quod capitulo dicit ubi
admonet sacerdos maledicte missa
que celebratur computatis primis
diei ex nono qualibet ut illucant
cum secundum auctores et completum
sunt auctoritates autem de certe presumit
quod non est preberi ut id
gradus quartum autem ex usu consistet
ut scriptum hore est et quinta
horis 1c ibi celebrandi
sunt et cum sit per de consecracione dicitur
re uero tempus sed et ut cessat pe//
sticti Set nocte secunda dicitur

missas celebrari potest in nocte
sancta et conficit ex de hoc spa//
cio comminus xor tempora cetera
uespertinas horas instituto sancto cera
mortis omnium misseri precepit
celebranda sunt et re est quia
dies dicta est insinat quod ex qua//
cena sancti computatur in nocte prete
die dominica Tercio aut gre//
cias sz hora nona mutatur
ex consuetudine cetera et 1c similiter
imitari attingit audiendis
communiter eius regularis cen//
tris collegiatis consueuit cetera
horam nonam missa de cetero
celebrari Aiddit Ferdinandus quod ubi
recensit quod celebrare sed ut omni
respondente ampulla ecce te//
nis ut deuote et cum ome//
creator omnis dei et ettium
offerens sacrificium de pena
quod sed capsit in asserendo Addere
prudentes ad prima die quod illud
misi de Deo et cum mistus
et fide est facit id quod sa//
tis et sic intelligant ante
uicios et tenaci ut
est dictum est sup amplius ere
obiectos Addere dicit quod missa
sed ancilla sacerdotis quantum ex
parte sacrificij oblati cum est nunc
bona qua missa bona sed
multa eam sed est missa
quomodo erit multa sancta ad
effrenata misse deuoto ex ar//
bitrio sed in macula id est
denicio Set ergo missa me//
lior est melior et in sacrificium
utroque est ecce Addo in dicto quod
sermone est amicus nimium et hic

nisi sit mobilium episcoporum in geschit
Vnum mobile et eo sic est quod
sed gracia et cetera altaris ex
sue donant pro uelle eius primi
aqueductum xpistiano desiderans
omnia deuocionis recte ut et ibi
lo dicitur Sz operum pro dispe//
sacionum noluit te ita quod cum
ita cum ut et quod sunt
ad quamuis dispensacio quod
pontifex aduenit dicto et lan//
cerni dispensat scripturis xpi
ut onus cessuorum sua quod est lin
quoad et scripturis cum dispensa
cum ancilla tactis aliis talis
grecia dyaconi Sed uero dispensa
cum sancto ponitur tempori ut se//
quis clericis de dispensatione
tempus xpi adyani ut dissolue
ut quod dici potest et prima in//
tercas meritis gracie dyacono dispe
sare uere xpi ut dicitur clericis alle//
gata Sz cum sit ex hoc quod psus
sit capta quam enim est dispe
sare quod est Sz layco uero
solido cum capta si et est di//
spensare dicitur sunt id de consecracione
conuenit ubi dicitur eum dicit
cum perpendens de ministerio
ut layco uero xpi tradit ad
deferendum infirmis et sic sunt
dicit synody ne ullus teme//
rarius persona omnino fiat Sz
aliis modis ut repertum est//
firmiter quod si aliquis fe//
cerit gradus pro periculo pubiacet
Sit aut quia est quod sit aliqua
ancilla iuste de dicatur estiuales
ac ad reliqua uerbera et onadde

est [illegible] pcedes ante [illegible]//
[illegible] et [illegible] pollina
actibus [illegible] [illegible] adistud pol//
[illegible] adaliqua [illegible]
[illegible] [illegible] pollicitationi est
[illegible] [illegible] actum confitendi et
regulariter dispensandi circa
[illegible] apud istud [illegible]
[illegible] [illegible] est
[illegible] et [illegible] ut [illegible] fiat
frequentius ut fiat frequentius
misericordia divine [illegible]
[illegible] subveniat [illegible]
[illegible] adquam frequentiam [illegible]
[illegible] [illegible] aliis sacerdotibus
[illegible] et [illegible]
[illegible] hec [illegible]
[illegible] conveniunt [illegible]
digna [illegible] digni
gradus [illegible] sit hec [illegible]
[illegible] et [illegible]
[illegible] complemento [illegible]
[illegible]
et [illegible] expedie//
[illegible] cot//
tidie [illegible]
[illegible] et [illegible] et
[illegible] cottidie [illegible]
[illegible]
[illegible] laudabilius [illegible]
[illegible]
[illegible]
[illegible] cottidie [illegible]
[illegible]
[illegible]
[illegible]
[illegible] depditi [illegible]
[illegible] spiritualis [illegible]

[illegible] cottidie [illegible]
[illegible] oratio [illegible] et
[illegible] exteriora fiat
[illegible] devotione et [illegible]
[illegible] devotio [illegible]
[illegible] expectato
[illegible] et [illegible]
[illegible] et [illegible] et
expedit [illegible] cottidiana [illegible]
[illegible] requirit
[illegible] devotio et [illegible]
[illegible] amor [illegible]
ad frequentiam [illegible] timor
[illegible] retrahit [illegible]
[illegible] cottidiana [illegible]
devotionem et reverentiam [illegible]
[illegible] expedit illi cottidie [illegible]
[illegible] Si autem [illegible]
[illegible] et devotionem [illegible]
[illegible] laudabilius ab//
[illegible] ut [illegible]
[illegible] et devotio [illegible]
et [illegible] quibus [illegible]
[illegible] ut dicit [illegible]
[illegible] ubi [illegible]
[illegible] cottidie [illegible]
[illegible] cottidie [illegible]
[illegible] fide [illegible]
[illegible] ut exemplificat [illegible]
[illegible] et [illegible]
[illegible] recepit [illegible]
[illegible] non
[illegible] ut [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible] et devotionem [illegible]
[illegible] cottidie

[illegible] ut [illegible] et [illegible]//
[illegible]
[illegible] [illegible]//
[illegible] [illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible] dedicata fuit
[illegible] fuit [illegible] et [illegible]
[illegible] ut [illegible] dispositus
[illegible] indispositus
[illegible]
[illegible] et ergo ut [illegible]
[illegible] cottidie [illegible]
[illegible] cottidie [illegible]
[illegible]
[illegible]
[illegible] et [illegible] ut [illegible] allegatum
[illegible] cotti//
die [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] ut [illegible]
[illegible]
frequenter et [illegible]
[illegible] et [illegible]//
[illegible] ut [illegible]
[illegible]
[illegible] et [illegible]
[illegible] natali
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] natali [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible] ut [illegible]
[illegible]
[illegible]//

[illegible]
[illegible]
[illegible] et negligentia
[illegible]
[illegible]
[illegible]
[illegible]//
[illegible]// [illegible]
[illegible] laudabile
[illegible] laudabi//
[illegible]
[illegible] et [illegible]//
[illegible]//
[illegible]
[illegible]//
[illegible]
[illegible] expedit [illegible]
[illegible] 2[a]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] et timore
[illegible]//
[illegible]// [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible] et [illegible]
[illegible]
[illegible]//
[illegible]
[illegible]
[illegible]

gravis est quod administrandum in modo / [illegible] et omnibus [illegible] Cristo / a [illegible] si gravius si certa [illegible] / [illegible] et sacrificium [illegible] reddimus / [illegible] aut [illegible] [illegible] / et [illegible] et tenet hostiam quod [illegible] / [illegible] [illegible] celebret [illegible] / [illegible] [illegible] [illegible] / [illegible] est [illegible] et [illegible] / [illegible] [illegible] [illegible] actu / [illegible] recipiet tam [illegible] / et [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] negligenciam / [illegible] ita [illegible] ad honorem / dei et salutem [illegible] / [illegible] et [illegible] id est pe / [illegible] [illegible] gratiam ac / [illegible] [illegible] [illegible] / [illegible] aut [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] dimittet [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] celebraverunt [illegible] / [illegible] est [illegible] modo [illegible] / [illegible] [illegible] [illegible] / [illegible] ut sacerdotum [illegible] / [illegible] [illegible] sacerdos [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] quod si modicum apponet / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] et [illegible] / [illegible] [illegible] ut [illegible] / [illegible] apponet [illegible] / [illegible] [illegible] [illegible] / quod [illegible] [illegible] / [illegible] [illegible] [illegible]

[illegible] ut [illegible] et [illegible] / [illegible] [illegible] [illegible] / et [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] benedicta [illegible] / [illegible] benedicta [illegible] / [illegible] [illegible] benedictum et / [illegible] et [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] quod [illegible] / [illegible] et [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] et / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] benedicta [illegible] / [illegible] [illegible] et / [illegible] et [illegible] benedictum / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] quod [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] attingit / et [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / et [illegible] [illegible] [illegible] / [illegible] [illegible] negligenciam / [illegible] [illegible] [illegible] / [illegible] [illegible] hostie / [illegible] [illegible] [illegible] / [illegible] hostie [illegible] / [illegible] [illegible] [illegible]

[illegible] [illegible] et [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] et [illegible] / [illegible] quod aliquis [illegible] / hostiam [illegible] et [illegible] / [illegible] hostie [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] quod [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] et / [illegible] quod [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] quod [illegible] / [illegible] [illegible] [illegible] / [illegible] hostias et quod [illegible] / [illegible] [illegible] [illegible] / [illegible] et [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] hostias / ut [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] hostiarum [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / et [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] hostie [illegible] / [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] hostias [illegible] / [illegible] [illegible] quod [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] quod [illegible] / [illegible] [illegible] et [illegible] / [illegible] et [illegible] [illegible] / [illegible] et [illegible] quod [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] et [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] [illegible] [illegible] / [illegible] et [illegible] quod / [illegible] [illegible] celebret [illegible] / [illegible] [illegible] [illegible] / [illegible] statutum est ut [illegible] / [illegible] [illegible] celebrare / [illegible] [illegible] [illegible] / [illegible] [illegible] habeat [illegible] / [illegible] [illegible] [illegible] / et [illegible] [illegible] et / [illegible] [illegible] [illegible] / [illegible] ut [illegible] quod [illegible] / [illegible] celebraret [illegible] / [illegible] [illegible] quod [illegible] / [illegible] [illegible] dei et hone / state [illegible] [illegible] / [illegible] celebret [illegible] / [illegible] [illegible] divini [illegible] / [illegible] [illegible] quod [illegible] [illegible]

... na consecrationis confert cui-
quodcumque celebranti concelebrant
et hic dicit sit operatur et con-
tinue. Si tamen illud tempus alie-
nis durandi sit, si ex hoc quod pa-
reat refert intentionem suam
consecrandi ad aliquod tempus post
... na consecrationis ...
... cum hoc ... tempus

[illegible]

[illegible]

[illegible]

q possit ipsum actum acceptacio-
nis alicuius presertim cum etiam
ex voluntate dei habeat quod sit eo ac-
ceptandi et per consequens remissi-
bilis quia per actum offendendi
principem manet reatus offen-
dentis quo pena imputatur ad
penam ita in proposito per actum
offendendi deum manet macula
que pena deputatur quia deus de-
putat ipsum ad penam quod equi-
valet ad penam ut est dicendum
super ubi dicitur macula etc.
est obligacio eius per actum ad ipsam
penam sed dicitur reatus et ut or-
dinatur ad illam penam condicta
actu dicitur offensa cum sit ad
est offendi vel reatus ideo cum
velle vindicare offensam secunda

2a conclusio

conclusio aliud quod dictum est re-
missionem peccati per actum peccati
quod deleri potest propria et licet re-
missione peccatorum sicut dicit re-
mittere peccata et cuiusque actuum re-
mittit confessio alicuius predestinati
habitis in peccatum mortale sicut de
de paulo et aliis in sinu no-
at quod visitatio aliquid predicitur or-
dinatur predestinatorum nunc dele-
re peccatum accipiendo peccatum cum
predicto quod non sibi remanet ob-
ligatus ad penam per eandem quia
per eandem tam gloria et quod cum
secundum dispositionem divinam gloria
et pena repugnant vel per eandem
per eternitatem quod est compositio et
quod deus disponit ipsum cum quibus
bono eternam et ita cum peccatum

3a conclusio

sit pena tertia conclusio quod sit reatus
remanent non remitti sine

pena vel alio equivalente in ac-
ceptatione divina quia quodlibet peccatum
offenditur deus ut patet per peccatum ex ipsa
offensa causa est eius vel ira est
velle vindicare vel aliquid sicut
ad placandum exigitur in proposito cum
peccato deus aut vindicare de-
precante sed velle vindicare
est velle punire et per peccatum
omissum ad eius delectionem requiritur
alia pena vel aliquid equivalens

4a conclusio

in acceptatione divina 4a conclusio
ad delectionem peccati requiritur tamen
pena vel punitio voluntaria
quia palinodia punitionis delet pec-
catum ut dictum est ex predictis quo-
modo sed per involuntariam non delet nisi
de pena dominatoris et hoc est
dubitatio alia an punitio
qua delet peccatum et quam non de-
let non voluntariam et non in vo-
luntariam [illegible] maioritatis intensi-
oritatis pene non est propter pla-
tam offensi quia omnis pena est
maxima pena et tamen non delet
culpam cum sit eadem in offensis
sicut est pena vel displicentia
voluntaria offense [illegible]
aut est involuntaria et ideo
communiter suscepta in sit per se
est quia ad delectionem culpe requiritur
requiritur pena voluntaria [illegible]
cum quia [illegible] pena [illegible]
est voluntaria quia [illegible]
[illegible] seu tollerata [illegible]
[illegible] sit [illegible] quis pena [illegible]
ab alio illata [illegible] tollerata
[illegible] quia voluntarie acceptata vel

xto

in mediate ad aliquid quomodo vel
bonum 3o pena vel tristitia
[illegible] dicitur voluntaria quia causa-
tur [illegible] ut actu penali cum
tamen concomitante illum effectum
quia apprehensione et volitione
eius effecti displicentis ut [illegible]
promissa per voluntas sicut [illegible]
ad repellendum id obiectum dis-
plicens sed peccatum cum tamen intendit
exhibere tristitiam et si sequatur [illegible]
eius displicentis apprehensione et vo-
litione esset tristitia causata [illegible]
luntate cum tamen concomitante
ex voluntate causata vel causa
intendente illum effectum ut
quia apprehensione vel nolitione
actus displicentis [illegible] sequitur tristitia
[illegible] et voluntas per velle [illegible]
[illegible] displicens sed [illegible]
[illegible] ut detestetur et velit [illegible]
[illegible] ut sequatur tristitia de
illo peccato in penam ipsius et hec
est voluntaria id est tristitia que
pena interior quia causata
[illegible] apprehensione illius
displicentis sed peccati et [illegible] de-
testationis seu nolitione ipsius et
tamen habet voluntate intenta est
quia [illegible] cum causa [illegible]
[illegible] detestationem peccati et eius no-
litionem [illegible]
sed est [illegible] pena et interior [illegible]
delet culpam quod est voluntaria
[illegible]
concomitante [illegible]
sequitur [illegible] tristitia licet ipsa
de se sit involuntaria et tamen
consequitur nolitionem et cum

volitionem [illegible] est involuntaria
[illegible] ad voluntatem sequente
afflictionem quomodo sed est voluntaria
[illegible] ad voluntatem sequente af-
fectionem [illegible] quia sit acceptat
[illegible]
[illegible] quod pena [illegible]
[illegible] accipit [illegible]
[illegible] et [illegible]
[illegible] consequentibus 3o [illegible]
penitendi [illegible]
[illegible] vel penitentia [illegible] penitentia

quarto penitentia

est velle punire [illegible]
penitentia est velle vindicare [illegible]
peccatum [illegible] commissa [illegible]
actus est nolitio vindicte [illegible]
[illegible] commisse [illegible] penitentia [illegible]
displicentia [illegible] penitentia est
peccatum [illegible] commissa detestatio
3o [illegible] pena acceptata et
sit est pena inflicta [illegible]
[illegible] acceptata [illegible]
[illegible] sufferre [illegible] pena
inflicta [illegible]
sufferre [illegible]
[illegible]
[illegible] quod est penitentia [illegible]
est [illegible]
[illegible]
sed peccati punitione [illegible]
[illegible] penosa quod est tristitia [illegible]
[illegible] id pena est [illegible]
[illegible] quia est actus vindicandi
est pene inflictivus [illegible]
[illegible] extractivus et
detestativus [illegible] est [illegible] penosi
et [illegible]
eius tollerativus et [illegible]

et si consuetum exercet opus exer-
cet opus cum mentali quo opus
exercet cum consuetum sit committi
a legislatore cum dicitur aliud
reddi si accidit quod ille nunc committit
ut consueto incidens sit ille reus quia
eadem exercet secundum eadem rationem
ipsa consueta intendit si esset omnino
alia conspecta [illegible] ille [illegible] in
clara est [illegible] actus ille penitendi
est contra ordinatam hominis ad
alterum vel ad se ipsum ad alterum
et ideo abstat quod reus contra
tu redimat ad personam quatenus
ad se cum ut intellectus ipsa
consueta incidit intendit contra legem
[illegible] commissa est [illegible]
dire et ideo est avenduta quod
cum dictum ipse respicit rati-
onem respondendum ponit ad ipsum
petitum sunt respicit legem pro-
pitiam et ideo bonum ipsius quod
committit cum forte penitentibus
iudex condicat iuste con-
demnando latronem non propter bonum
latronis ante sed referendo
penam mutilatam secundum legem pro-
prium ad bonum civitatis et ideo
actus iste est contrarie quod si
ita compadit aliquam sententiam
in mali ut amati non omne
erret cum peccatis propter incredibilem
amanti ita relinquit quod ipse
actus penitendi sit actus iuste
punitive et ita contra sit m-
sima penitentiam cito quod iusti
penitentiam sive condicatam est
quod iuste gratiam et ipsum
mediatores rati alterum et
sit principaliter commutativam per
quod ei qui peccavit habuit ab

ierat et dat et promissum ha-
buit cum deliquit sunt ante de-
spiciendo commodo et voluntate et peccatis
decederat et offendit civitate
quia peccatis contra sunt debitum et
debito ... sit ... adequate punitio-
nem penitentium qui peccavimus
fecit eadem quemadmodum pro bu-
reaucrato id quod peccavit et sic quod
ipso civitati [illegible] sufficit
peccatis et ita est debitum et ante
deum et petere sunt recipere
parvum gratie peccatis operans
et hec dicuntur pena voluntate
suscipiendo penam possessa
peccata et premissis proponendo futura
rerum et quod doctor iuste pe-
nitentie si in addit super confessio-
nem trahendo specialiter quod confitens
respicit offensam dei et ideo quod
volendum et ideo abscondit con-
flicta si ideo quod nunc con-
traria sive condicatam originali
quod est ei sua offensam homo
vel homini et conflictu agnoscit
et revolutaria dicitur ille nunc
fugit dicitur consilium contraria pena
hoc est actus theologia sed moralis
et acquisita qualibus indicia
practica quibus ut declarat
ubi ista sunt in ille malicia
quod est quod preliad ... per theolo-
gicam virtutes sed fides spes et caritas
et cum a illaradicem est prima confes-
sio quod abitum opus virtus theologie
est dei ut dictum est ... sed ob
iectum eius est deus sed malum
commiserit ut rei misere est confes-

considerandum est quod ut indicare per-
tinet habitu actu circa materiam proprie
sibi voluntatem secundum id sequitur agere
et ex sequentibus actibus generalis
ipse habitus ad ipsius operacionem
inclinat quod est contra actus acquisita
et moralis quod generatur et conser-
vatur sic generantur et hoc est penitentia
ratio id vero est quod licet ex pluribus
materiis per hoc cognitum peccatorum
contra oppositi moralem virtuti
ex cognitum cetera per ipsam
tristiam dolorosam de peccato in
qua lesa existimat homo et
indignum reddit et culpabilem
et alegislatoribus pro tanto
peccatis generacionem peccatum hoc in
ideo peccatis adhuc penitentia ista
fructuosa gratia dei sine
qua non delet mortale peccatum
sed requirit alicui generacio et
quod predicta supernaturalia doctrina
penitentie ut sic hoc perpetuo
bonitate et cognoscat quod ille
dicitur boni displicet de bonis
et quod cognoscat de iustitia de
quod ira ipsius offensam modo dei
amittit absolute de opera exigit
eternam penam ut hic temporale
penam et quod cognoscat se contra
legem dei peccati egisse amit-
tendo vel committendo qua-
dum displicet boni et se
ad penam obligatam et quod
cognoscat divinam carentiam
quod dei parata est indulgere et
parcere revertenti et de peccatis
dolenti ex quibus cognitionibus
oritur contritio valens remitte-

et se deo commendi et sibi satis-
faciendo et alias penas et con-
fitetur quod illas cognitionibus et illud
condispositio in omnia et assensus.
Ideo penitentia hec sit gratia fidei et
aliquis illustratore speciali de spe
peccata et cum penisse opere
adiuvans dicitur cui caritas ideo sunt
ipsius cognitive aliquid ex nobis
tamquam ex nobis sed ipsa sua ex
deo est quod de ad ipsius contriti
emotionem vel dico displicet et
hoc ex naturalibus hec possumus propter
condispositione ad ea iusti-
tiam dicitur dispositio sufficiens
respicit donum dei speciale et
illustrationem supernaturale per
gratiam de gratia sine humis volun-
tate penitendi pro primo actu pe-
nitendi sed quod sit quod velle in
peccatum et ex effectu quod tristi et
gratia inspirata quod gratis operans
iuste sed per gratiam actualem et non
sine actuale et sic ipso ob
actu quod sic petitum consistit
aliquod quod communicare habitu commis-
sione penitentiam alegislatore
et ipsa nunc fine quod ipsa obser-
vancia legis et ille bonitatio
sacramentali est actus virtus et
speciali virtus quod iuste puni-
tive et circa operationem illa virtus
fecit adalias virtutes theologias
et acquisitas et de primo dici-
tur iure cooperando. Nega-
tur et culta nulla causa tan-
quam gratia numquam fecit de prima
dicitur quod virtus prima esse sit
virtus certa theologia est in mente
principium comparata proprie ...

[illegible] [illegible] fuit deum [illegible] ob
[illegible] et [illegible] fine et [illegible]
[illegible] alie sunt deum [illegible]
fine [illegible] [illegible] probito
[illegible] obtentum [illegible] [illegible]
[illegible] offensa dei [illegible]
expiabile vel expiabil[illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] actus [illegible]
[illegible] dei [illegible] [illegible] ab
[illegible] virtutibus theo[illegible]
[illegible] fide spe et [illegible] alie
[illegible] virtutes [illegible] ut dt [illegible]
[illegible] deum probito [illegible]
[illegible] [illegible] sit [illegible]
[illegible] cardinales [illegible] obtentum
[illegible] [illegible] passiones
[illegible] delectationes [illegible] et
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] dt [illegible] [illegible] pena
[illegible] actus moral[illegible] et
[illegible] [illegible] aliquis [illegible]
[illegible] iuste [illegible]
[illegible] pena [illegible]
[illegible] morales [illegible]
[illegible] et theo[illegible] et [illegible]
[illegible] virtutibus moralibus [illegible]
[illegible] deum [illegible]
[illegible] [illegible] deum [illegible]
fine [illegible] virtutes
morales [illegible] ut dictum
[illegible] adiustitiam
[illegible] et responsione
offensa [illegible]
[illegible] [illegible] de
[illegible] penitendi [illegible]
[illegible] detestatio [illegible]
ut displicentia [illegible]

[illegible] actus [illegible] actus
virtutis [illegible] [illegible]
[illegible] actus [illegible]
actus [illegible] [illegible]
[illegible] dictat [illegible]
[illegible] honesto [illegible] dictat
displicendi [illegible] inhonesto
[illegible] [illegible] [illegible]
[illegible] honesto [illegible]
[illegible] ad displicendi [illegible]
inhonesto [illegible] [illegible]
[illegible] [illegible] et
[illegible] de actu [illegible]
[illegible] [illegible] [illegible]
[illegible] acceptare pena [illegible]
[illegible] actus [illegible]
[illegible] [illegible]
[illegible] [illegible] et [illegible] plurium
virtutum actus [illegible]
virtutes [illegible] [illegible]
penalia et [illegible] pene [illegible]
[illegible] patiens [illegible] pena [illegible]
[illegible] actus virtutis
[illegible] dictat [illegible]
[illegible] [illegible] [illegible] et
[illegible] actus [illegible] virtutis [illegible]
[illegible] [illegible] [illegible]
[illegible] videndum [illegible] actus
penitendi ut actus virtutis [illegible]
ad delectionem culpe moral[illegible]
[illegible] ad delectionem culpe [illegible]
talis [illegible] requirit actus [illegible]
[illegible] ut actus [illegible] virtutis [illegible]
[illegible] actus penitendi [illegible]
[illegible] [illegible] ad delectionem
culpe [illegible] [illegible]
quamquam [illegible]
[illegible] [illegible] [illegible]

tendi [illegible] [illegible] et [illegible]
[illegible] [illegible]
[illegible] ut dictum [illegible]
[illegible] pena [illegible] actus [illegible] requirit
[illegible] ad delectionem culpe [illegible]
[illegible] actus penitendi [illegible] virtutis
[illegible] [illegible] ipse [illegible]
[illegible] [illegible] pena [illegible] actus
[illegible] [illegible] [illegible]
[illegible] [illegible] actu perfecte
[illegible] delectationem moralem [illegible]
[illegible] requirit [illegible] actus
[illegible] [illegible] [illegible]
morales [illegible] [illegible]
delectionem [illegible] virtute [illegible]
[illegible] actus [illegible]
[illegible] [illegible] morales
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
aliquo [illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible] requirit
ad delectionem [illegible] et [illegible]
[illegible] virtutis [illegible]
[illegible] [illegible] gratia [illegible]
[illegible] virtutis gratuitis [illegible]
[illegible] actus [illegible] delectionem
culpe [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] moralis ad
[illegible] delectionem [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible] ad delectionem
culpe [illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible] et [illegible]

actus penitendi [illegible] [illegible]
[illegible] ipse [illegible]
actus dictat [illegible] [illegible]
[illegible] et [illegible] [illegible]
et si ad delectionem culpe requirit
[illegible] [illegible] actus
penitendi [illegible] requirit [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] est
[illegible] [illegible] actu [illegible]
dei [illegible] ut dictum [illegible]
[illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible]
ut offensiva dei [illegible]
legem divinam ut [illegible]
deo et [illegible] [illegible]
et [illegible] actus [illegible]
tendi [illegible] [illegible] et
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] moralis [illegible]
[illegible] et [illegible] [illegible]
[illegible] ad delectionem [illegible] moralis
[illegible] [illegible] [illegible]
[illegible] [illegible] dictat actus
[illegible] [illegible] [illegible]
actus detestationis [illegible]
[illegible] [illegible] mala
et [illegible] [illegible] disposito
adiustitiam ut [illegible] dictum
fine [illegible] deum [illegible]
[illegible] pena [illegible] et
[illegible] [illegible] timore
pene [illegible] [illegible] offendere
et [illegible] disposita adiustitiam

Si aut(em) e(st) mi(nu)s caret aliqua
circu(m)sta(n)tia ita q(uod) no(n) mi(ni)st(r)et
circu(m)sta(n)tia p(ro)ximam d(ic)ta s(ed) q(uod)
tm carat d(ic)ta et(iam) ex q(ui)d(em)
caree et obmissio(n)e vol(un)t(ari)a
quam adipisci circu(m)sta(n)tiam
Alio p(ri)m(o) s(e)c(un)do tu(n)c i(ll)a attric(io)
e(st) medio s(e)c(un)do insufficie(n)s
e(st) p(ri)m(o) q(uod) q(uod) s(e)c(un)do d(ic)tio repp(er)it
onerem p(e)ri(cul)a graui(ter) solu(m) add(ita)
cu(m) plurib(us) re ab(s)ce(n)tes cont(ra)
d(ic)ta q(uod) q(uia) d(ici)t q(uod) culpe
remissio g(rati)e i(n)fusio et et(ern)e
pene cu(m) p(ro)p(ri)ale (com)mutatio cu(m)
sit v(ir)tute (con)trarie s(ed) demer(it)a
x(rist)i g(rati)a p(ro)p(ter) n(ost)ra sit i(ll)a q(uod)
(con)tricio et culpe remissio
et g(rati)e i(n)fusio q(uod) h(oc) (con)trar(ia)
q(uod) ist(i)s actus e(st) (con)trar(ius) cu(m)
s(ub)ita g(rati)a n(on) h(abe)t sit ut aq(ua)
(com)mendat exti(n)c(tio) in (com)paratio(n)e
remitti(tur) c(ontr)a pene (tem)p(or)alis
qua et(er)na (com)mutata est
et p(otes)t e(ss)e t(ame)n tota (con)tracio
q(uod) q(ui)s cultus eis (con)t(ra)dic(tio)
e(st) astri(n)ge(re) s(ed) relaxando to(ta)
te(mporis) pena Alio (con)trac(io) e(st) do-
lor vol(un)tari(u)s assu(m)pt(us) p(ro)
p(e)c(cat)is cu(m) p(ro)posito (con)fite(n)di et
satisfacie(n)di et p(ri)mu(m) q(uod) do-
lor d(ici)t(ur) p(ro) passio(n)e g(ra)ui q(uo)d que
s(ed) p(e)c(ca)tu(m) n(ecess)itatis q(uo)d s(e)c(un)d(u)m
displicet e(st) e(ss)e actus doloris
q(uia) Alio ysidor(us) d(ici)t (con)tri-
tio et (con)trit(io) e(st) h(uius)mo(d)i
anc(ti)s in lacrimis (com)mens
exercitatio(n)e p(e)c(ca)ti et timore
iudicij Alio s(e)c(un)d(u)m de (con)tritio(n)e

tu(m) (con)struc(tio) p(re)parat(i)o(n)em e(ss)e d(ic)to
tali q(uo)d s(e)c(un)d(u)m om(n)ib(us) s(ed) q(uo)d cr(e)d(o)
quem et (pro)fectu(m) crip(tu)m (sic)[illegible]
Alio (con)trac(io) e(st) (con)trit(io) [illegible]
p(ro) p(re)parat(i)o(n)em adipisc(end)i [illegible]
d(ic)t(ur) s(e)c(un)d(u)m s(ed) a(n)c(tu)s [illegible]
vel mu(n)dac(i)o(n)e q(uo)d [illegible]
tu(n)c lacrimis [illegible]
q(ui) d(ic)tato (con)fe(ss)i(on)e [illegible]
cor (con)pe(n)e [illegible] ou(m)e
tardet(ur) p(e)c(ca)ti [illegible] (con)tinuare
iudicij Alio (con)trit(io) e(st) [illegible]
dolor cu(m) vol(un)tat(e) [illegible]
add(ita) q(uo)d p(e)c(ca)ti displic(enti)a e(st)
s(ed) (con)sistit cu(m) (con)tra [illegible]
ista(n)te s(ed) r(ati)o(n)e [illegible]
vel s(e)c(un)d(u)m [illegible]
[illegible] e(st) [illegible]
[illegible] ut [illegible]
[illegible] dolore illu(m) e(st) [illegible]
dolor q(ui) e(st) de p(e)c(ca)tis [illegible]
q(uod) q(uod) displic(enti)a de p(e)c(ca)to [illegible]
dolor sensualis [illegible]
[illegible] Alio s(e)c(un)d(u)m s(e)c(un)d(u)m q(uo)d [illegible]
tes [illegible]
g(rati)a [illegible] s(e)c(un)d(u)m aliud [illegible]
[illegible] e(st) [illegible]
q(uo)d [illegible] e(st) [illegible]
[illegible] e(st) [illegible]
[illegible]
[illegible] s(e)c(un)d(u)m [illegible]
aliud s(ed) [illegible]
relaxa(n)te [illegible]
(con)uenie(n)ter bo(n)e [illegible]
e(ss)e p(ri)ma Alio s(e)c(un)d(u)m s(ed) q(uo)d p(ri)ma
[illegible] ut e(st) [illegible]
dolor [illegible] tristicia de malo

[illegible] et detestat(i)o mali q(uo)d
q(ui)s fecit et [illegible] detestatio ma-
li [illegible] q(uo)d [illegible]
[illegible] ad bonu(m) et [illegible]
[illegible] tollit
[illegible]
[illegible]
de [illegible] contra [illegible]
[illegible] et p(ri)ma [illegible] et
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
detestatio mali [illegible]
[illegible] et [illegible]
[illegible]
offensa [illegible] e(st) actus
virtutis de(us) [illegible] e(st) q(uo)d
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
s(e)c(un)d(u)m [illegible]
[illegible] et e(st) [illegible]
[illegible]
ut actus virtutis [illegible]
[illegible]
[illegible]
ad detestat(i)o(n)e(m) culpe [illegible]
testatio [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
s(ed) ad q(uo)d [illegible]

[illegible] attricio(n)e [illegible]
[illegible]
dispo(n)ere [illegible]
[illegible]
[illegible]
[illegible]
et [illegible] ad quod
deus [illegible]
[illegible] ad h(oc) q(uod) sit [illegible]
[illegible] ad [illegible] deus
[illegible] et tollet culpa
et si manet [illegible]
detestatio p(e)c(ca)ti in e(ss)e [illegible]
et [illegible] que [illegible] fuit
attricio [illegible]
qua [illegible] e(st) [illegible]
g(rati)a et ille actus e(st) [illegible]
[illegible]
[illegible] de [illegible]
et attricio(n)e et habitudine
illaru(m) [illegible] ali(ter) aliud
[illegible] q(uo)d attricio e(st) dete-
statio p(e)c(ca)ti [illegible] ex timore
pene et(er)ne [illegible]
[illegible] ul ex aliquo
[illegible] et [illegible] attricio
e(st) [illegible]
pene et(er)ne [illegible] attricio
[illegible] detestatio p(e)c(ca)ti n(on) suf-
ficie(n)s ut [illegible] n(on) e(st) [illegible]
[illegible]
p(e)c(ca)tis et [illegible]
[illegible] et [illegible] attricio
n(on) [illegible] culpa [illegible]
sed [illegible] e(st) [illegible]
[illegible] culpa [illegible] e(st)
[illegible]
[illegible]
[illegible]
Alio (con)tritio e(st) detestatio p(e)c(ca)ti
[illegible] ex dei amore [illegible]
[illegible] e(st) offensa cu(m) [illegible]

attricio [illegible]

(con)tricio [illegible]

c dei et bonum inspiciens et in
in contrarium ex se movendo voluntas
est detestativo peccatorum omnium
quantum sunt offensa dei et cor
se movendo voluntas in dilectionem
dilectionem ipsius super omnia aliud
vero contra eo detestatur finaliter
propter ipsum deum gratia autem di
lecto dei super omnia ut dicit
ipsi omnino quod est se in gratia et ergo
ita 2a est requirit augmentum
et cum sponte elicitus detes
tationis peccati propter deum finaliter
datur gratia ut eius sponte
doleret sibi culpa et ideo illo
est primo sponte elicitus et de
testationis datur gratia et doleret
culpa dei ra proprium operi
et gratia potest quod si attritio
c actus precedit motus infusi
tionalis sed quia c detestatio peccati
propter deum est eidem requiritur conti
nuatio ipsius liberalis ad quam datur
gratia et doleat culpa et gratia
attritio continuata adiectio
infusionis c per dei ordina
tionem dispositio congrua ad
gratiam sufficienciam et ad de
lectionem culpe meriti spiritualia
quod post eius gratiam tali actione
ad datum infusionis respectu
ab actu ulterius ... per
impletione gratie tamen cum ponet
obice ita quod eo dicit gratiam
meritis addit doleret ... peccati
1a gratia et doleret culpa
ideo post illud ... sed cum
sed quod si ... per voluntatis

ab actu detestationis et gratia doleret
per adimpletione ... sponte de
to tamen doleret culpa si gratiam
et quod ... ... quibus
... secundum illos quod attritio ...
gratiam et eo ... perfectum
formatum gratia et informe
cum attritio quod formatur gratia et
c contrita ... spes et ...
cordis ... spe ... timor servilis
et amor dei et finis ...
dispositionis et ... de ...
... et ... ... attritio
te attritio ...
... et ...
... ... ad ...
infusionis gratie ... tamen ...
... et ...
... quod ... et attritio ...
quod ... ... sit ... timor
servilis ... amor dei ...
... amor dei ...
amor servilis ut ... de
... et plus ... per ipsos
quod ... gratia ... ad
quantitatem magnitudinem ...
quod quod ... et ...
... quod ... aliquo
... culpe ...
... ... plus quam ...
... et ... de quo ...
... de ... et ...
et ut ... describit ...
quod ... ... et satis
factio ... ... eius
et ... ...
... ... satisfactionem
... ... per ... ...

... quod illa ... illud ...
sacerdotalis ... ... adhuc
ut ... digne recipi
at et fructuose recipiat ...
... sacerdos
... absolvit ... ...
... ...
... quod est ... confessione ...
... ... sit ut ...
... ...
... ...
... et ... ...
... ... efficaciam
... satisfactio ... ...
... ... penitentie ...
sufficientes ... ...
... ...
... supplemen
tum ... ... et ...
... virtutes morales
... et ...
... fuissent ...
... ... et
... fuisset ...
... virtutes ... et
... virtutes ...
... ...
... fuisset ...
... ... quod ...
... ...
... ... habendi ...
... ... alterum
ut ... ... alterius
ut ... ...
... hec ... ...
... ...
... alterius ...
... culpa ...
... ...
... et ... alterius ...

... ... prima
sit ... ...
... et quod ... ...
... ... et ... ...
... ...
c prima ... ...
at pena quod ...
penitendi ...
... ...
... ...
quod ... ...
penitendi ... ...
c ... ... et detesta
tionis peccati et 2o ...
... peccati ut ... peccati
et ... ... et
... ... et ... ...
c ... peccati et ... ...
virtutis ut ... ... di
to quod ... peccati ...
... ...
... ... peccati
et offensa dei quod ...
... ... deputata
ad penam ... ...
... quod offensio ...
... et ... detestatur ...
... dolet et ...
... ... detestatio ...
... ... quod ...
... ...
... ...
... ...
... ut ... ... si ...
... ... offendisse
deum et si ... ...
... ... ut ...
... offendisse deum ...
... ...

[illegible]

[illegible]

[illegible]

[illegible]

est dictum e(st) q(uod) s(e)c(und)a no(n) apro
inducte lata et e(st) n(on) p(er) ... ex
q(uod) dr(itur) a sancte ... dispensa
h(oc) sancta ut ho(c) ex despera
rentate et fide ... ...
... et ... quod e(st) ut eadem
... ...
et ... ...
... ...
... ... p(er) aliq(uo)d ... ...
... dispensatio ... ...
... et ... confessio facta ... ...
valet ... ...
... illud q(uo)d d(icitu)r ...
... ...
... ...
... q(uo)d ... ...
... indiget ... ...
... e(st) ... ...
... ... et offende(n)s
... ...
... ... loqui ... ...

[illegible]

et cum confessio et satisfactio conte//
ratur si assit facultas Sed sicut
penitens non est consortis contra
non sit Item per dictum auctori-
tatibus sumitur quod aliud est con//
fessio oris omnino liberat confes-
sorem paradisum confessorem spem sa//
lutis dederit quod non auderet in//
sistere quod crimina sua credat
peccatum confessorem contritio clauis auctoritas
addunt quod id quod concessit
cum ipse dicitur Item id est
dat S t g ut intelligatur
sit Sed vanus quod habet quod ex baptismo
petit se constans esse sufficit
ad quos pertinet dispensatio
sacramenti ita quod illud quod pertinuit
per baptismum actualiter mortale peccatum
non constans ad quos pertinet dispe//
satio sacramenti penitencie ut id alicuius
recipiat actu vel voto ut dic//
tum est Item constat quod remi//
dium hoc non prius quam in penitencie
sacramentum ei qui dispensatione
peccatum recompensat quod sit confessoris
et tu facias ipse de ipso dicit Si
medicinam expectas oportet ut
morbum detegas Item in xvi
sic mutatur cum sumptione
hoc culpa mortali per baptismum
commissa deletur sine remissione
tamen contritionem in adultis cum
actu sacramenti suscipiendi si aliquis
mortalis non excludit obligatur
pro tunc excedens quod sit confessio actu
vel voto sicut non remittitur
peccatum alicui nisi confessio contritio
fuit eo quod culpa non deleta

gratia insistat quod dicitur sacramenti penitencie
actu vel voto suscepti Sed contra
sufficit penitendo habet sacramentum non sufficit ad//
salutem cum enim articulo mortis su//
scipiendi excludit actum post
Secundo quod suscipiendi et contritio//
nem contritione adhuc mortalitatis obli//
gatio adacta nisi exceptis
Preterea Sed in aliis ex//
cepta contritio contritio ita ...
si facultas assit ut ipsum suscipit
quod si non contritio facta apparuerit
vel salute tunc statuto confiteri//
tempore vel neglexit recidivat
in peccatum et ex tunc salutis se
post volens sed quod est per peccatum
mortale actuale per peccatum commissi
contritio non proponit nunquam dei//
in posito contritio fuit prosolata pro
S t quod per mortaliter Item actu
dicit quod gratie confessionis sufficit ad
culpe remissionem sed adhuc ipsa
penitencie ordinata sunt sacramenta cum
quorum susceptione actu vel proposito
non consequitur quod gratiam sicut de
baptismo patet et per decisionem Sed
ista dicta sunt quia sacramentum penitencie
sit mortalis culpe deletivum sed
ut dictum est contritione cum su//
sceptione gratie mortalis culpa deletur
cum confessio et sacramenti penitencie susceptio//
nem cum proposito sicut dicitur mond
quod fuit effectum magis quod tangit
in dicto 18 sed quod in psalmo dicit //
modis culpis ita sed apparet sacra
... et videtur sed contra//
gratis ... quod ... confirmari ...

peccatum post Sed et alege sacramento
non audebat aliquis si cum debebat
et reconsiliabat cum ut modum
sit causa sacramenti contritio dimittit peccatum
sed alius credit Sola contritio
requirit et sufficit ut dicitur adhuc ut
deus dimittit peccatum et habet quod
aucte Secundum super id dicit
sibi deus ait petro dabo tibi
claves regni celorum huic quod
lazaro esse non antequam ... sunt
de sepulchro precipit cum ut dap//
mare in noxius et postea se
putant noxius vero apud deum
non sunt sacerdotum sed eorum
vita gratia et hoc probatur
dominus sublevans insculturas
unde se sacerdotibus ostendere
si quos illi contritio fuerunt leprosos
ut mundaret sed discernunt quid indi-
et quid mundi sed ita et sacerdotum
hoc exemplo ministri non placet
quod omnis contritio de ecclesie sacra-
sed penitencie sacra sunt ad pertinet
sacramenti nunquam deleret peccatum
sed nisi esset aliqui per se deleri
per contritionem adhuc quod dicitur sed
sacerdotes sacramentum penitencie ...
... aliquis ... in ... //
animus Sed sacramentum alterum habet inga//
venies quod nunquam sacramentum penitencie
... rursus per confessionem
quod omnis liberaret vel manifesta//
... absolvere Sed ...
aut excedere quod peccatum dimitti
... contritio cum confessione sacerdotis
sub conditione sed si confitebitur et non
est penitencie aliis sed vero contritione et

sacerdos peccatores sacramento penitencie
absolvit Sed et aliis id penitencie
non placet quod vel ad contritionem per se
confessionem datur gratia et peccatum penitencie
dimittitur vero non sequitur sed peccati
et gratia Si non datur adequa-
tur modo dimittitur culpa Si
dicis quod ad contritionem de qua sufficit
gratiam et dimittit culpam tamen
sit vero contritio quod penitens ...
et locus operatur et ita copia
... sacerdotis confitendo quod si
non fecerit reuertatur peccata quod
confitenda erant et de quibus se
peccasset fuit contritio tamen id
in auctoritate ezech 18 et 33 Quacun//
que hora ingemuerit peccator ...
et ingemuerit amplius peccatorum
... non recordabor omnia
... et non moriar aliis aut
... quod ... per se ...
... quod ... aliter sacramento sicut
... confessio contritionem ... et
... habet locum ...
... sed quod ... sacerdotis ...
non absolvit illum ... quod ...
... absolvit tamen ...
penitencie ... adhuc ...
sit et ... gravi//
... quod sic ...
vel purgatorio ... minuit
et quod ad penitentiam remittit sacerdos
... sacramenti et ...
... in eis ... gratia
... confitens sit sacramentum ...
... sed non ... et ...
... in ...
sacramento penitencie et ... deletum

ctle

[illegible]

[illegible]

[illegible]

[illegible]

alii p[er] gnt[?] e inignis q[uod] satisfa-
ciens deum reconciliat inau-
nitas [illegible] et no[n] satisfaciens
[illegible] remanet [illegible] i[n] p[ec]c[at]o
[illegible] et [illegible] 2o [illegible] satis-
factio deum [illegible] poss[et] [illegible]
[illegible] alio q[uod] id q[uod] e
[illegible] illi poss[et] [illegible] re-
[illegible] aliud [illegible] 1o
[illegible] debet
[illegible] alii [illegible] alii
[illegible] e plus q[uod] [illegible]
[illegible] poss[et] i[m]poni satisfactio
q[uod] [illegible] e paupe[r] [illegible]
[illegible] quia
[illegible] et [illegible]
[illegible] i[m]ponere [illegible] p[ri]mo
[illegible] nota ar[gumentum] q[uod] satisfactio
[illegible] e pl[us] [illegible] pene q[uam]
reddit[ur] ei q[uod] reddend[um] e
s[ecundu]m iniuria[m] q[uod] s[ecundu]m iniuria[m]
pena ordinat[ur] [illegible] p[ro] defectu
culpe [illegible] de
ordinatos [illegible] ordinatio i
[illegible] 18 d[icitu]r [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
[illegible] satisfactio [illegible]
[illegible]
[illegible] depma [illegible]
satisfactio [illegible] accepta s[ecundu]m
[illegible] reddit[ur] voluntaria
equalis [illegible] s[ecundu]m
[illegible] reddit[ur] [illegible]
[illegible] Satisfactio [illegible]
[illegible]

aliud respondet [illegible] voluntaria
q[uod] s[ic] e[st] involuntaria [illegible]
e[st] satisfactio p[ro] magis satisfaci[endum]
[illegible] 2o [illegible]
[illegible] pena delicta culpe satisfacti
s[ed] [illegible] satisfaciens 1o d[icitu]r [illegible]
[illegible] satisf[actio] [illegible]
e[st] [illegible] quod s[ecundu]m quod sit
satisfactio ut equat[ur] [illegible]
[illegible] e [illegible] ordine [illegible]
[illegible] q[uod] s[ic] e[st] [illegible] aliud
[illegible] satisfaciens [illegible]
[illegible] [illegible] alii [illegible]
descriptio satisfactionis e [illegible]
gratie et obligationes [illegible]
[illegible] [illegible] recipiens [illegible]
[illegible] satisfactio [illegible]
[illegible] responsio d[icitu]r
[illegible] obliga-
[illegible] et [illegible]
1o [illegible] satisfactio sit
[illegible] reddens [illegible] q[uod]
[illegible] e adequatio
[illegible] satisfactori [illegible]
equalitate [illegible] et
[illegible] s[ecundu]m [illegible]
[illegible]
et [illegible] apte [illegible]
1o [illegible] s[ecundu]m accepta-
[illegible] 19 [illegible]
[illegible] s[ecundu]m [illegible]
et [illegible] igit[ur]
[illegible] satisfactio
[illegible] reddit [illegible]
1o [illegible] reddit [illegible]
[illegible] reddit [illegible]
satisfactionis et satisfactio [illegible]

sc[ilicet] [illegible] sit [illegible] pura [illegible]
quo adequat[ur] [illegible] respecti-
[illegible] virtute [illegible] et [illegible]
[illegible] satisfactio [illegible] degrati-
[illegible] respondet [illegible]
[illegible] deo respondet honores et
[illegible] e [illegible] delicto [illegible]
[illegible] redemptio
[illegible] compensare
q[uod] [illegible] sit delicto [illegible]
et [illegible] alias delicti [illegible] et
offensa [illegible]
[illegible] satisfactio [illegible] satisfactio
[illegible] [illegible] delicti [illegible]
satisfactio [illegible] et [illegible]
e [illegible] satisfactio [illegible]
[illegible] homo bonum q[uod] [illegible]
sit [illegible] [illegible]
[illegible] homo et [illegible]
virtute [illegible] et [illegible]
[illegible]
[illegible] bonum [illegible]
[illegible] e [illegible]
[illegible] homo virtute [illegible] et [illegible]
[illegible] satisfactio
[illegible] deo [illegible] accepta [illegible]
[illegible] sibi
[illegible] et [illegible]
[illegible] accep-
[illegible] satisfactio
[illegible] satisfactio
[illegible]
s[ecundu]m ordinatio[n]e[m] [illegible]
et [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible] virtute 19 [illegible]

[illegible] dispo[n]it
[illegible]
[illegible] q[uod] [illegible]
offensa fuit [illegible]
[illegible] e [illegible]
[illegible] et deo disposuit [illegible]
[illegible] sit [illegible]
[illegible] sit [illegible] e
satisfactio q[uod] e[st] aliquo [illegible]
[illegible] accepta
[illegible] magis
depma [illegible]
[illegible] satisfactio deo [illegible]
virtute [illegible]
virtute [illegible]
satisfacere deo s[ecundu]m ordinatio[n]em
[illegible]
[illegible] et [illegible] et
virtute [illegible] et [illegible]
[illegible] acceptat [illegible]
[illegible] satisfactio [illegible]
s[ecundu]m [illegible] et [illegible]
[illegible] satisfactio[n]i
i [illegible]
[illegible] deo
satisfactio [illegible] magis [illegible]
[illegible] et [illegible] volunta-
[illegible] satisfactio
[illegible] 3 q[uod] [illegible]
deo [illegible]
[illegible] delicta [illegible]
[illegible] sit [illegible]
e [illegible] et magis
reddens [illegible] deo [illegible] 1a [illegible]
et [illegible] 2a [illegible]
[illegible] satisfactio e respectio
offense [illegible]
[illegible] sit [illegible] et magis

satisfactio [illegible]

3a [illegible]

opera penalia [illegible] recompensatio
ut dicitur quondam ad eius [illegible] of-
fensam et offendere [illegible]
equitatis iustitie sit presentatio
[illegible] iuste [illegible]
[illegible] ad alterandum [illegible]
ad [illegible] aut quantum [illegible]
est substraxit deo reverentiam
et obedientiam suo despiciendo
divina precepta ut [illegible]
[illegible] quia substrahebat
satisfaciens ad [illegible]
dat ad honorem dei opus aut
malum [illegible] ad inhonorem
dei opus vero bonum sit de-
lectabile [illegible] substraxit [illegible]
si magis [illegible]
satisfactionem est bonum ut re-
dat ad honorem dei [illegible]
modum substrahebat [illegible]
sunt misericordie [illegible] voluntate
[illegible] preceptum [illegible]
[illegible] et plena
et [illegible] digni fruc-
tus [illegible] peni-
tentibus [illegible]
pulsat ut dolore et gemitibus
[illegible] impetret [illegible]
aut actus penales et [illegible]
voluntarie quibus sit satisfactio
[illegible] redduntur ad [illegible] pe-
[illegible] actus interior
[illegible] quam [illegible]
[illegible] acceptet ut [illegible]
[illegible] et penam relaxat
[illegible] penosum est exterius [illegible]
[illegible] [illegible] obierit
et vilipenderit [illegible]
[illegible] hoc [illegible]
[illegible] magnam partem penalitatis

penali [illegible] [illegible]
[illegible] est passio penosa
sequitur [illegible]
tollit dicta pena de [illegible]
[illegible] penitus [illegible] [illegible]
[illegible] sit [illegible]
[illegible] est [illegible]
[illegible] sit [illegible]
est [illegible] aliorum [illegible]
[illegible] quadruplex [illegible] de
satisfactione [illegible]
[illegible] satis-
factionis [illegible] satisfactionem
[illegible] et [illegible]
[illegible] [illegible] et [illegible]
hoc [illegible] satisfactorie [illegible]
[illegible] et [illegible]
[illegible] possit [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible]
[illegible] sit satisfactio totalis [illegible]
diminuta [illegible] sufficiat
[illegible] et [illegible]
[illegible] sit [illegible]
[illegible] sufficit [illegible]
et [illegible] [illegible]
sufficit [illegible]
satisfactorie [illegible] totaliter [illegible]
[illegible] possunt [illegible]
[illegible] [illegible]
est [illegible] possit [illegible]
ti [illegible] et [illegible]
[illegible] est totalis satisfactio [illegible]
[illegible] remissa

et alias penas supplentes [illegible]
contritio [illegible] aut intensa
[illegible] et remissa ad alias
penas [illegible] [illegible]
[illegible] acceptatione di-
vina [illegible] satisfactio
[illegible] [illegible] et [illegible]
diminuta penitente [illegible] re-
conciliat deo offenso [illegible]
[illegible] misericordie
[illegible] [illegible]
[illegible] contritionis [illegible]
[illegible] hec satisfactio [illegible]
[illegible] est placatio vel
reconciliatio et [illegible]
aliquo [illegible] [illegible] de-
[illegible] et [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
amare dei [illegible]
[illegible] ad
[illegible] hostie
[illegible] offendit
et [illegible]
[illegible]
[illegible] [illegible]
est satisfactio deo [illegible]
[illegible] peccato
alio [illegible] ut [illegible]
[illegible] homo doleat [illegible]
et [illegible] satisfactio [illegible] et [illegible]
alio [illegible] peniteat [illegible]
[illegible] et [illegible]
[illegible] [illegible]
[illegible] penitet [illegible]
reconciliat [illegible] alio
[illegible] dimitti ergo [illegible]
[illegible] singulas

[illegible] [illegible]
[illegible]
[illegible] quibus singula [illegible]
[illegible] ad [illegible] ut [illegible]
est [illegible] quod [illegible]
[illegible] est [illegible] qui
adhuc aliqua [illegible]
[illegible] et [illegible]
[illegible] dimittere et [illegible] est
ut [illegible]
[illegible] quos [illegible]
[illegible] [illegible]
[illegible] hec [illegible]
[illegible] voluntas [illegible]
[illegible] displicet [illegible] deo offenso
est [illegible] et [illegible]
et reconciliat deo et [illegible]
[illegible] accepta [illegible] quando
[illegible] est [illegible]
satisfactio [illegible]
[illegible] satisfactio [illegible]
et [illegible] est [illegible] exterior
laboriosa vel penalis voluntarie
assumpta [illegible]
[illegible] et [illegible]
offensam [illegible] pena
voluntarie [illegible]
[illegible] satis-
factio [illegible] quam [illegible]
[illegible] [illegible]
[illegible] exterius [illegible] vel
actu penali [illegible]
[illegible] et [illegible]
[illegible] et [illegible] actus
penales et [illegible] satisfactio [illegible]
sit [illegible] penalibus [illegible]
[illegible] et [illegible]
[illegible] satisfactio [illegible]

[illegible]

satisfactio [illegible]

[illegible] que licet [illegible] satisfactio [illegible]
continet et confessio. Sed contra [illegible]
[illegible] addere ad aliquid
[illegible] aut [illegible]
[illegible]. Commissa dicitur [illegible]
[illegible] actu contemplatio-
nis [illegible]. Commissa
[illegible] actu [illegible]
[illegible] cessat [illegible]
[illegible]. Ieiunium
[illegible] dicitur [illegible]
et [illegible] dux [illegible] eterne
[illegible]. Ieiunium [illegible]
[illegible] vigiliis [illegible]
[illegible] et [illegible]
[illegible] alias [illegible]
[illegible]. Elemosina [illegible]
[illegible] compensatio [illegible]
[illegible] indigentia [illegible]
[illegible]

[illegible]

[illegible]

[illegible]

tua membra sed impetum rebellis concupiscentie omnium et superbie vite [illegible] satisfactio [illegible] satisfactionis satisfacere [illegible]

[illegible]

[illegible]

[illegible]

mutanda eterna pena in temporalem et addenda penam [illegible] satisfactionem [illegible] pro satisfactione [illegible] compositio [illegible] satisfactio [illegible] pena [illegible] satisfactionis [illegible]

[illegible]

Secundo [illegible] restitutionem [illegible] restitutio [illegible] satisfactio [illegible]

[illegible]

fiomis alia in bonis spualib;
teneat ad restitucoem. Tamen
ar q cu depauperitat aliam
in bonis persone ut si refert
aut aliquis teneatur adimple
si nichil depauperat e contrario
restitucio quod p2 q depaupe
fiunt ois qui dedit bonum
spuale ei q depauperitaverit
in bonis aie sed si depauperi
tat in bonis tenet auferendo
merebatur vel concedendo cum qui
reddere ad eum equalem quod
nullum bonum extrinsecum est
bonum aie sicut bonum spiritu
ale qui in eo equalem bonum
quod e bonum mediis sibi augm
Item relacs eleg abrenunciatu
religiose volenti illud intrare
depauperitat illud in bonis aie
q erat bitura in religione
et depauperitat religionem
trahendo sibi generat Item est
tn qui tenetur ad restitucoem
vel ipsi aut religiosus te restitu
tur generat ipse aut equalitate
et tunc tenet ope corporali
cum possit aliud equale Idem
est q depauperitatis aliud in bo
nis fame nec tenetur ad restitu
cionem de in magis relacionem pfirma
ipsius quod aliud sit magis di
ligere apiunt. Si propter Si d
m satis publice desiste actu
alis pro fama fuit si predicaret
illes vel diffamando alterum
fecerit in modo si erroneo
et ita defamando ipsum

ex relatore fidelitatis 2 1te
sim eterna sunt te ad diffa
mac ly mediante et propter no
te restitucio et rei actiones
eget iniuste et illud cum
eo qui angm incipit ad mas
redimend quod dum restitutis
certum e nec reddit si reddi potest
quia cum eget si furtum lego
Non dimittit peccatum nisi restitu
atur ablatum sm de stilo het
quod 1 2 1 ipse alii pro reddi
iniuste ablatum et reddere pro
de eo quod ad bonum aie hec quod
re alii dr restitucio sicut
exemplum predicamus ipse et de
mente tamen est qui de
restitucione fienda depauperatiatis
in corpore et pecunia re deinde
tamen e non bonum q diminuta
culte 2 auferens bonum fame
plus ledit quam auferens spale
et 1 te ad restitucoem 2 et 1
te ad restitucoem hence tum
multe late pretactis Item ut
aliq debita similiora nolo referre
et similitie et alium de restitucoe
dumq depauperitate in bonis fide
sicut super his qui quibus e
dicere ea obligacione quando ob
ligerit ad precepta decalogi
obligerit et ad restitucoem fienda
de re sic auferre alienum e
peccatum mortale et tamen propter
cum negatum est et fructus
sustinet unu et tenet alienum
et tu sic cum e tene proposita
negatiue unu cum e cum ale

cum conuicto aliquo et proximis ut
actu potentum reddere vel nolle
potentum reddere vel sunt oppor
tunitatis Sed restitucio in eo
nota ut sit q satisfaccionis
est gratia reddo satisfaccionem
gratis est accepta quod
equales ei unice peccatorum
sic ita restitucio et aliis si
reddunt quid posset redde
de 1ro quod sunt e sic remutue
redditur et redditori aliis sa
tisfacere pertinet ad regnandum
uita Tempore restitucio eius
e satisfactionem pertinet quo e est expensas
et restitucionem mire ut si volunte
respectu aut de uns gratiam genere
sic reffecta fecit ut voluntate
actu Si satisfactio q e 3 de
genere eius requirat in duas
alias genere si esse et quorum
ut fuisset et satisfacte restitue
cuius eius rurgit aliqualiter specialis
et de una est e pecio aliis actus
ut si ex fornicacione
magis adultera restituere
ad omnes suo e refferre aperte
et amica restitucione hoc sumpti ino
mechaliter actu credit de
dote genere accepte et io sic
tenetur adultera eius e capax
genere si accipere et si aliter ad
quantumque reddit contra gratu ita
detinere aliud voluntate actu
eius tamen eius e capax genere
Restituendum est propter eius que accepit
contra suis habere ad restitucoem
tenent Conuenit in duobus
necessitatis Conuenit ex parte sui

peruersa tempore complexionis multy
cum absolut cum amissa
Reuocari sine stat Tamen
in quantum Ad quem absoluit vel
tenet aliis tenet restitue
auferre vel quod vel ut ea pro
pter consiliando vel ut ad ipsum
pro mente auferrens vel ut ea
admittens vel parum in auffe
rendo vel ut in conducta si
fuerit vel fauet vel adulat
sic fauet vel adulatur propter
quod fit ablatum et sic quod ob
fuerit Tempore de detinere q
mente detinent vel in 1 pecio
dimittere erratice vel plurale pro
consultacione ut sicut quem fiat
restitucio tamen sic si excessive q
tet vel in auxiliando vel fa
uore prebendo ut si tanquam medio
restitutio quod premissum sit
pecuniam pro ea et tamen reddere cedere
eis remittet sic primum pars vel
genere Sed bene obligato
ad restitucoem reddita ad auffere
et detinere et 1 vel ut sic pro
est ut pro eo tamen ut mediu
uiat vel ut consulens vel in eo
impediens eum ad impedienda est
ad bonum rei quibus sic pro eo
genere impedite et impeditum
est tenetur ad restitucoem omnium pe
ditus Si eius restitucioe obaliq
liberauit aliquo in cedere ad
depauperitatem aliis tamen tenet
grata specialis si ad grate illi
expectare sibi fuerit sic exponi
necessario Conuenit ex parte sui ad noti
est tenet restitue si ignorabat
misericordia in quod erroremis

et decalogi preceptum contra
ad minus te aufferendi vel de
tinendi. Consensu vel favore qui
est res sua quando cum feminis
vsurarijs contra fecit vel quando mai
suas denigrat mandando per
omnias vel compulando contra
te ad restitutionem ipsius sic quod
ceat tamen sed futuro. Falsa
vel adulator qui laudat aliquem
vel premium debet quod aliena
recipit. Item est de detractore
sicut apostolus detractores audiet [illegible]
[illegible] est
de tractatu [illegible] sicut receptat
rem vel [illegible] in
[illegible]
est restitutio [illegible] crimine
[illegible] se locat [illegible]
vsurarius [illegible]
vsuris [illegible]
[illegible] si sciunt [illegible]
et [illegible]
hec debent restituere [illegible]
[illegible] accepta. Si autem fuit
[illegible] et honesto [illegible]
[illegible]
[illegible]
dat [illegible]
[illegible] vsuram [illegible]
[illegible]
[illegible] tenetur
ad restitutionem [illegible]
[illegible] accepte sicut tenet et
[illegible]
[illegible]
[illegible]
[illegible]

[illegible] facta et [illegible]
[illegible]
[illegible]
[illegible] restitutio [illegible]
[illegible]
aliquam [illegible]
qualis [illegible]
[illegible]
ad restitutionem [illegible]
[illegible]
[illegible]
[illegible] fructus
[illegible]
[illegible]
[illegible]
[illegible]
reddere [illegible] recipit
[illegible] vsuram [illegible]
[illegible] fructus [illegible]
[illegible]
[illegible] et [illegible] est
[illegible]
vsuram [illegible]
[illegible] restitue [illegible]
[illegible]
[illegible] restitutio
[illegible]
[illegible] dominum
et non [illegible] repetere et [illegible]
[illegible] restitutio [illegible]
[illegible]
et [illegible]
[illegible]
recipi [illegible]
[illegible]
et [illegible] restitutio

et hoc [illegible]
[illegible]
[illegible] ludo [illegible]
[illegible] repetere vel
[illegible] et [illegible]
[illegible] restitutio
[illegible]
[illegible] titulo [illegible]
[illegible] et [illegible]
[illegible] titulis [illegible] habendi
[illegible]
[illegible] et vsuram et [illegible]
[illegible]
[illegible] de aleatore et
[illegible]
[illegible]
et honestate [illegible]
[illegible]
[illegible]
ludo [illegible]
ad [illegible] reddere [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] quando [illegible] repetere
et [illegible] restitutio [illegible]
[illegible] de alienandis [illegible]
[illegible]
[illegible]
[illegible] ludo [illegible]
[illegible] repetere [illegible]
[illegible]
[illegible] et [illegible]

[illegible]
[illegible]
[illegible] ludo [illegible]
[illegible]
[illegible]
[illegible] dominium [illegible]
ludo repeti [illegible]
voluntarium et [illegible] illum
[illegible] ad restitutionem et
[illegible] repetere [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et aleator [illegible]
possessor et [illegible] possidet
titulo et [illegible]
[illegible]
ludo [illegible]
et [illegible]
tenetur ipsi restitue [illegible]
[illegible]
[illegible]
[illegible]
[illegible] pupillo [illegible]
[illegible]
[illegible] restitue
[illegible] potuit
[illegible]
[illegible]
[illegible]
[illegible] restitue [illegible] repetit
repetere [illegible]
[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

1a ratio

[illegible]

2a ratio

[illegible]

[illegible]

3a ratio

[illegible]

[illegible]

Pp²

[illegible]

Du²

[illegible]

t. de

[illegible]

de adulterio

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

ecclesia ipsum rei arrufati se nisi satisfaciat et pro isto abs... [illegible]

[illegible]

Dictum iam fuit contra legi[?] ... [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

et ex testati auct^te pbat qz
remisso cio e mitia cepud etiam
genere ut dt ex al cont^a
eis si excepti de ea ect ex
cause scepte ia cu oblige
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3^a q^o

et ad [illegible] glosatur [illegible]
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et tempus arbitri [illegible]
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[illegible] ... latus ... extra ... [illegible]

[illegible] ... ostendit ... [illegible]

... cogitat ... [illegible]

et ... [illegible] ... et

... erubescat

... erubescat [illegible]

[illegible]

dando tamen ... [illegible]

[illegible]

... et ... [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] ... et sic quod iste ceremonie essent de lege nature nego illud quod ceremonie de lege nature, et hoc est de lege positiva non solum, ideo genero legis positive non [illegible] solum ista debet est colendus de lege nature, ut salte valde [illegible] secundum legi negatur hoc ista [illegible] ipse vult se [illegible] est mere [illegible] positive et variatur pro alio et alio tempore, et quod [illegible] ipse sit est colendus de mere de lege posita. [illegible] ad [illegible] dicit bonetus quod si aliquis non potest sacerdote, qui sciat eius linguam [illegible], ipse potest confiteri per interpretem et ipse interpres per sacerdotem obligandus est ad tacendum, et si sacerdos non eum obligaret ad hoc tenetur tacere sicut sacerdos, quod est quasi quasi sacerdotis [illegible] [illegible] dicit quod potest confiteri per aliqua signa alia nota

sacerdoti / si aliqua talia cont-
gunt ipsi confitendi / et confessori
sed non videtur sibi necessarium quod aliquis
confiteatur per interpretem / quia forum
istud ex natura sua est secretissimum / et non
tenetur ad illud alius ut a quo pub-
licum Sed licet interpretes teneantur
celare sicut sacerdos tamen si velint
malignari ipse et sacerdos pos-
sunt esse testes contra attentum
et ita contra illius accusationis / hic
accusatus posset venire in publicum
et ita vir non est penitentiam Se-
cundo scilicet quod non est confitendum sit
pluribus sacerdotibus cum necessitate ad-
huc quod melius videtur quod si fiat
non est sacramentalis confessio maxime
cum videtur quod non sit confitendum
per interpretem quod timetur eum non
esse secretarium ydoneum quia in
tali casu iste habet impossibi-
litatem confitendi licet ydoneus con-
fiteatur ergo domino deo cum opportuno confi-
tendi sacerdoti opportunitate ob-
lata De muto dicitur quod quia potest
confiteri per scripturam / et per aliqua
signa si que sunt certa / per que
potest sacerdoti aliquo modo sua
peccata declarare Sed dicit Scotus
quod videtur esse contra communem confessionis
sacramentum talis scriptura / quia omnis
scriptura ex natura sua nata est esse
publica Et ideo cum ab secrete apud
se servet scriptam / ex quo tamen
mittit id est ut per nuntium ut pel-
lum ad quem mittitur potest publicari
et semper ex natura sua est patula
cuique legenti / quod contrariatur ubi

qui habent curam presbiteri ad fructus
quod est curam regiminis ydonei nec
insufficiens etiam auctoritatem superioris vel
sit archidiacona que est magistra
vel magister et hic cum confiteretur potest
confitentes qui presbiteratum confitentes etiam
qui dicitur quod non est causa potest confiteri
presbiteri Sed exponit quod quando
consultens est presens et absens non
potest licite / absens ergo expectet
presentiam cum proposito confitendi eam sa-
lutarem Addimus duo quod si ma-
iores criminali et veniali tenetur
si non confitetur etiam si beato aliquo
fuisset confessus beato petro quod confessione
propria dominum impetrasset confitendo
Sed si est maiores sint criminali potest
confiteri veniale quod potest etiam confiteri
ut dictum est Unde Veneranda
auctoritas est secundum quod primum
sit pro criminali peccato si custodiatur homo
per diem quorum multi custodiam mente
ipse sit peccato criminali preciditur
et multa opera sperantis exercet
quatenus vivo non affigere
sit a Christo domino nostro et etiam
finaliter consumat

Quartadecima et 18 queritur Queritur utrum
(Q)uero utrum inde sacerdos
cum superiores ordinis par-
ticipat claves regni celestis
Et dicitur quod sic quia dicitur episcopus
Secundo de Christo claudit et aperit
aperit et claudit in
celis ubi habet illos claves Item
cum homo teneat dominationem delicti
baptismo licet ut capitulo cum
absolvitur cum columba in xxii
cum absolutus columbe in celo
sacerdos igitur habet claves

quibus possit absolvere capitulo
etiam sacerdotes iusti per breviter cla-
ves sacerdotum Secundo quod clavem
claves dicit claves sine scilicet cum
cum confertur nisi habet ordinatum in
sacerdote quod sic ignarus omni-
vecit se sicut per ordinatores
cum sit priores et venit ad peccatum cri-
minalis magis sicut etiam
si prima confertur cum laterenti
Quinto prima cum pro inde
relata culta est in eum habet
claves exponendi reatum in pro
subdito si episcopus ordinis
sacerdotum non dat si subditus potest
magistro cum subditum et conditur cla-
ves Septimo si inordinatam ad
subditorum dicitur claves hic
non prior hic cum sacerdote quando
quod archidiaconus qui quando non
cum sit sacerdote potest absolvere et
ligare et excommunicare et reconciliare
Sexto si cum superior ordinis
sacerdotes ipse conferunt cla-
ves hic et quod cum superioris ex-
tendit se ad remissionem culpe
vel pene sed contra alterum et con-
tra sic hoc primo capitulo cum ad re-
missionem culpe se extendit cla-
ves patet ex prima et ex pluribus
Unde 18a Secundo et tertio exten-
dunt se ad remissionem pene
quod quia ipse te prescriptis absolvens
post tota remitti et consequenter
sic et potens absolvendi
a pena et culpa quod est ordinibus
non est extendunt per claves
ad infligendum penam quia licet
qui habet penitentes reddere ampliare

quia habet penam si iuncta culpa
reddit quod est finem quod si aliquis
indiscrete imponat immoderata
primam dicit quoniam quidam per precepta
est disproportionata culpe quod post
precedens circumscripta quod continet debe-
ponderantiam penarum ad culpam
cum te ius impleri quod cum tenetur
obedire ministeriali contra volunta-
tem suam si dicitur quod clavium in figura
Christi culpa Nota circa quod
Christus commisit petro et patribus in
datio claves regni celorum et
post eo impleri id promissum et
nisi claves consideratur a Christo
quas remisit id Primo quod
causa duo circuli in primo videndum
est de relatione clavium quod hoc c-
surgunt de quo tractat in x 18
19 in consequenter videndum est
se extendat potestas clavium de quo
tractat in Unde 18 Quarta
questio circa habet claves hinc
secundo quod hec translata fuerit
aliqua simul transferuntur et claves
cum est instituta potestatem clau-
dendi et aperiendi hostium patet
intrat secundum dictum ut potest non
est aperire cum aperiens cum sua
aliqua aperit puta dignitatis
gratie admittendo ut dignitatis
aliqua expellit hic cum sua
confert considerat aperire regni
celestis quod sit preparati difficul-
tates reatum illi aperiendum quod
in aperto non est actualis si dur-
tata dignitas disposita illius tunc
aperit contingit et conveniunt

ar 19 pt

appiente / et i^e e petenclas / q //
tingit or conueniu[n]t tam / ppr
quad hunc appit / ppr piam
ontdu[n]ctam / et tam ppr quad
clandi hunc / pp pinas exclu^ua
pz demecata iy / et oncita iy
nltim aue illoru e clauis
q^r gatr e apprio / pchni appicte
A^a e ta remota / i^r plas ia
ompnante q e qi i mc tu / //
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clauis regni celor[um] Scdo

[illegible]

ipsa [illegible] est etiam [illegible]
[illegible] [illegible] [illegible] ex
[illegible] [illegible] [illegible] semel et [illegible]
[illegible] et dicunt adhuc duae
claves et [illegible] quia [illegible] collata
est dux potestas scilicet [illegible] et
[illegible] [illegible] [illegible] [illegible]
separi [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
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[illegible] [illegible] habeat clavem
[illegible] et exercitium [illegible]
[illegible] [illegible] clavium [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] subditos [illegible]
et si quis [illegible] [illegible] [illegible]
et exercitium clavium [illegible]
[illegible] [illegible] attemptaret absolvere
[illegible] [illegible] [illegible] [illegible]
absolveret [illegible] [illegible] [illegible]
[illegible] absolutio [illegible] [illegible]
claves et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] iurisdictiones
et [illegible] [illegible] [illegible] [illegible]
[illegible] iurisdictiones et alii [illegible] qui
[illegible] [illegible] iurisdictiones et
[illegible] [illegible] [illegible] quos si [illegible]
tarent absolvere [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible] lata
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] clavium
[illegible] [illegible] [illegible] absolvit vel
ligabit [illegible] [illegible] [illegible] quid
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] absolvere
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

[illegible] sed [illegible] [illegible] [illegible]
[illegible] dat subditis [illegible] [illegible]
[illegible] clavium potestate et [illegible]
[illegible] dat [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] potestate
[illegible] [illegible] [illegible] habet claves
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] quod
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et si
[illegible] [illegible] [illegible] absolvere
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] illud
attemptaret [illegible] [illegible] [illegible]
[illegible] si attemptaret [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
lata [illegible] [illegible] [illegible] absolvi
[illegible] [illegible] illud [illegible] [illegible]
lata est [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] lata [illegible] [illegible]
et ipsa [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] claves [illegible] [illegible] claves
[illegible] [illegible] [illegible] [illegible]

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[illegible] est etiam [illegible] [illegible] [illegible]
delicta [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] claves in
[illegible] [illegible] [illegible] [illegible] et
[illegible] et [illegible] [illegible]
et [illegible] qua iudex [illegible]
[illegible] dignos [illegible] et [illegible]
[illegible] excludere [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] claudens etiam [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quae etiam militantis est
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] porta [illegible]
[illegible] ingredi in regnum caelorum
est [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] sed [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] est [illegible] [illegible] [illegible]
[illegible] [illegible] claves sunt datae [illegible]
[illegible] et [illegible] [illegible] [illegible] sed
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] petro [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]

[illegible] paulus [illegible] [illegible]
tradendo eos sathanae [illegible]
[illegible] [illegible] [illegible] [illegible]
audit fornicationem et [illegible]
[illegible] [illegible] ita ut uxorem patris
aliquis habeat [illegible] [illegible] [illegible]
absens corpore [illegible] [illegible] spiritu
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] tradere [illegible] [illegible]
sathanae [illegible] [illegible] [illegible]
ut spiritus salvus sit [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] fide naufragaverunt
[illegible] [illegible] [illegible] quos tradi-
di sathanae [illegible] [illegible]
[illegible] quis vobis evangelizaverit
[illegible] [illegible] [illegible] [illegible]
[illegible] sit et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] lata [illegible] et [illegible]
sunt [illegible] iusta [illegible] [illegible]
[illegible] et [illegible] et forma [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et
ita [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ita plene lata [illegible]

[illegible] ... apostolis tradidit ... fides introducenda fuit prima ... [illegible]

... claves ... [illegible]

[illegible]

[illegible]

dicendo q(uod) tal(ite)r placuit et ideo q(uod) p(re)-
cedit addit(ur). Si ia ordinatio ut
p(atet) alicui alia e(st) esse p(ro)l(a)ta est
non quibus sacerdos h(ab)et quo(rum)
penitentes cura p(rese)nto absolue(re)
et licet quibus (h)et h(ab)et claues
n(on) tamen h(ab)et iurisdictionem
in aliquo ex sola collatione
clauium. Sed do (ut) q(uod) s(u)pp(er)na(tur)a
etiam quibus sacerdos sunt que(m)
penitentes absolue(re) h(ab)et non sunt
ex sola clauium collatione s(ed) ex
speciali commissione ut sunt multis
eius penitentes p(re)bueret et
spectat sunt primo dat iurisdictio-
nem et ipsi d(i)x(it) ei graste
omnes meas et equo et alij
ipsi acceperit p(re) et nec ea
alij accipiunt ab successore
pecti ei et om(n)i tali modo seruet
omne o(mn)ib(us) cui h(oc) pec(cat)i subiat
quibus non potu(er)i(n)t s(e)c(un)d(u)m ad
illud actu non potest decernere
ordinarij tal(e) h(ab)o comp(ar)at(ur) unde
pec(cat)is depellendo est h(oc) teneri
xo Sec(un)do se q(uod) inter qui habet
sacerdos attemptando absolue(re)
querit(ur) non subditum s(ed) ob absuit
nem id est e(st) exorbitatione eum
q(uod) prohibet ipsum suo e pri(n)c(ipi)o
in ea e (ess)e contra sunt s(e)c(un)d(u)m sibi
subiecti et non p(otes)t eius absolu(er)e
d(icitu)r in illas s(ecundu)m subditum in sp(irit)u-
alia ac non p(ro)p(ter) id d(icitu)r alienis
ordinatis media autem s(ecundu)m i(llud)
r(espons)io sui epi(scopi) non suscipit sac(erdoti)
ordinis eius sit cum statu esse
et bap(tis)ti absoluendo sacerdote sin
consensu ipsius e(st) uel bap(tis)ti e(st)

et alij absoluere uel e(st) alij
tenere. Absolute p(er) exactio dicto
q(uod) q(ui)s quis non absol(uit) alienum
in h(oc) est accepit id non e(st) exp(re)s(s)e
ex precepto esse s(ed) ex eo e(st)
intra ydonea dictum sui ex in
absoluendo ex illi subditum uel
simil(ite)r ut adducitur in ipso actu. Sic
ex h(oc) sicut in nominate ministu-
ra et h(oc) e(st) decernit r(es)p(on)d(e)o
omnium ut i(n) bap(tis)mo non est ex
inspiratione sacer(dot)ii illud ordinandum
re sunt ut bap(tis)ta et q(ui)a in uel
bap(tis)te h(ab)et ordinem ut bap(tis)ti fa-
ciunt cum precepto et petit se
suspensi operatur. Ad om(n)ia plebano
suspensio ab ministratione sacra
omnino absolueat sunt plebiscitum
s(ecundu)m existente. Sed ex eo respon(d)en-
s p(ro)pone item substrahi s(ed) om(n)i
quo addito actu illicite ut sibi
non sunt s(ecundu)m s(ecundu)m quo additum ac-
tu est h(oc) dep(endet) a(b) illo.
Secundum eadem ac lud condemn(atio)
e(st) adeo s(ecundu)m extendat p(re)dicta
cum omnium ad remittendum culpam
ut temporalem penam solum debet
spectat uer(um) item q(ui)a ostensum id
q(uod) uis clauium non extendit se ad
remissione culpe uel pene eterne
d(icitu)r contra ceterum deus p(re)ter d(ominu)m di-
mittit peccatum q(uod) et clauem in
dat absolutio ornata et a
debito eterne mortis absoluit
q(ui)a ergo faciunt sacerdotes t(empo)r(a)li
Sic tribuit eis curati solutione
et legendi .a. o(mn)i(bu)s coeliga-
tos uel solutos q(uo)d p(ro)bat p(er) illud
de leproso p(os)t s(e)c(un)d(u)m q(uod) adsunt te

misso huius y(sai)e et de lazaro ps(alm)o
iustificato q(uod) disciplina ad sol-
uendum tradito sed q(uod) cum q(uod) conce(ssit)
supra id q(uod) cont(ra) io(hannem) tibi dabo cla-
ues celi d(icitu)r clementia iubent
lepre se ostende sacerdotibus q(ui) illi
non ponunt mundos uel immundos
s(ed) discernunt an mundi uel im-
mundi sint. Contra dicit m(agister) q(uod)
olim sacerdotes legales ha-
buerunt mundandi leprosos h(oc)
non h(abe)nt sacerdotes e(ccle)sie mundandi
uel remittendi culpis. Sed
h(oc) e(st) g(ra)tia dicta e(st) ex parte illius
certi sunt deus absoluit culpam
et eternam penam p(re)d(ict)e remit-
tat tamen adh(uc) est extendi ipse
claues esse sunt iuste dispo(siti)o(n)e
solum sed p(otes)t exponi actu ta(men)
dictum e(st) q(uod) sunt p(re)d(ict)e claues
e(st) dimittendi culpam uidetur q(uod)
e(st) p(re)d(ict)e mundare et dimittere
debitum eterne pene. Sed ultimo
attingere illud effectum quorum
mundos s(ecundu)m q(uod) sacerdoti s(ecundu)m q(uod)
s(ecundu)m contritionem et dispositionem ut
e(st) p(otes)t q(ui)a s(ecundu)m sunt alias sa-
cramentum p(ro)pter non est sic
non h(abe)t etiam ceterum causalitate nisi
dispositionem h(abe)t ad gratiam g(ra)ti-
um ut digne suscipiat ordinem adeo
om(n)is sunt solutus spiritualiter suscepto
ut sacramenti e(st) instrumentum ad gratiam
d(icitu)r dispositio effectrix et omnia ex-
d(ict)e partiu ad gratiam suscepto
Instrumentum aut uel dispositio prima
non e(st) signum rememoratiuum uel
ostensiuum eius ut collati sacramenti
uel i(n) collato sacramenti forme

ad hoc ut digne fiat non ex
q(uod) sit dignum alterius d(ominu)s p(re)dictus
hoc est late declaratum sunt
p(ro)pter d(ist)i(nctio) ix ubi dictum sunt ex
sacramentum p(ri)me p(otes)t digne recipi
et contra absolutio et t(ame)n contra at-
tende q(uod) non sunt depo(si)ti ad
ministrationem suscipiendam in
sacra(men)to ij alteris et si sacramentum p(ro)-
p(ri)e non sunt re contritione gr(ati)e
gratia et absolutio sacerdotis e(st) absolutio
effectrix ij alterius sequitur sa-
cramentum primo (ex)p(er)ti non ex placatus nos
p(otes)t placatus nos e(st) signum effectrix
generationes corporis xi. Sed hoc
potest quo sacramentum hoc e(st) signum
remunerationis ad gratiam c(ontra)
sit dispo(siti)o prima eo modo q(ui)a alte-
rius d(icitu)r dispo(siti)o prima generalis
sunt ut hominis q(ui)a e(st) dispositio prima
non e(st) ergo sic de se actu legali
actum lepre et cum actu ei(us)
q(uod) ideo exercuit tamen ad quod
erat signum remunerationis munda-
tionis lepre et in q(uod) erat signum
propinquum actum conductiuum re-
quisitum effectrix sic exercet actum
qui e(st) signum propinquum effectrix
actum mediatum i(n) p(ri)mo (ex)p(er)ti non ex
placatus nos absolutus non tamen contra
q(ui)a eius absolutio contrariis p(ro) eo (ex)p(er)ti
p(ri)mo id e(st) adeo et etiam solutus
sit ergo sacerdos delet maculam
et penam mortis eterne s(ecundu)m falsam
in sacramento e(st) sunt g(ra)tia ut dictum e(st)
debet supplere sed ipse facit tamen hoc
sacramentaliter non attingendo effectum
illud nisi uirtute g(ra)tia unde

aliena sed attingendo illud
quod est displicentia contritionis ad illud
effectum dicitur addendo quas
addunt magistri ... contritio/
nis ... quia hoc sat et hoc est
... si quis sacerdos ... ordinat
illud aliud secundum quod potest hoc sat
primo sit et quia sua conditio est
displicentia et ... ad id
quod ordinatur ... non est excellen
satisfactio ... quia ... corporis
est displicentia ... ad ...
... legalem ... suscepto ...
erat displicentia efficax ad emenda/
tionem ... corporalis lepre ut
... sed ... erat ... possibile ... /
querere ... legalis puri/
ficante ... per alios ... apposi
... contracta ex lege
... lepre contracta vel
... sacerdos ... excitet ...
actu qui est signum efficax
... contracti
... polluti ... manda
... actu ut ... peccatum
effectus signati ... quia ... /
... tamen aliqui determi
nant. Secunda conclusio sit quod
... tollit ... sit
... penitentia ... tamen
... quia ... et penitentia
... remissione ... mortalem
et eterne pene efficax me/
dicina ... ut ab
... remissionem ... re/
... penitentia ... mortalitate
... delet ... corporis
quod ... tamen sit

... et ... celestis
sit celestis ... tali ... et
applicatus ... sacerdos ... di
vinus ... dilectum ... sic
... potuit ... quod ... quia
... corporis remissio
... intenderet ...
... ei frigiditate ...
... Tertia conclusio Sacerdos ...
clavium ... aliquid de pe/
na temporali satisfactoria relaxare
... exponit ...
... potuit et ligat
... ligat ad penam corporalem ...
... potuit ...
de pena ... dimittit
ut peccatorum ... ad
... admittit ...
... quorum
... sacerdos ...
... relaxare de pena
temporali ... ad alias ...
... Et ... aliqua
... pene temporalis ...
... satisfaciat ...
... dimittit ...
... penam ...
... iniuriam ...
... sit quia
... secundum ... cogere
teneatur ad penam temporalem ...
... et sit quia sacerdos ...
... remittat ... penam
... remanet
adhuc obligatus ad ...
... sacerdos imponeret ...
quam ... potuit
vel ... satisfaceret

ideo ... clavis potestas erat
... et ... fuerit
... magis ... contra
... dei ... ad ... /
... tamen ...
... illos ... residuum ...
... potuit ...
... purgatorio. Conclusio ...
... Tertio ...
... arbitrandi
... arbitrium ...
... diligentia
... arbitrii ... /
... speciale ...
... diligentia ...
adhibeat ...
... quod ... /
... peccatore ...
... attingat hoc ... ut
... speciale ...
... arbitrium ...
... Sacerdos nullam
... arbitrandi ... Confirmatur
quod ... est ... quod deus dede/
rit ... potestate arbitrandi ...
quia ... arbitrio
satisfacere et tamen quia ...
... arbitrio ... /
... ut ...
... /
... pena ...
quia ... arbitrare ...
... et hoc maxime ... sit
... voluntate ... deitate
Secundo ... potest ...
... et deus ... quos arbit
... sacerdos ... ligat ad arbi/
trandum penam ... illud quam

deus infligeret maxime ... posset
... de ... quam
adhuc ... ut est ...
Tum si sacerdos imponat aliquam
... quadruplum/
responderet ... est ...
... teneatur ad ...
... aliquantulum ... condigna
... pena ...
... ultra ... /
... quam dictat ... iusti/
tia et ... explere ...
... ultra id ... divine
iustitie. Dicit Scotus quod quia ...
... iusticie ...
... magnam latitudinem ita quod ...
respiciunt ... /
... latitudinem ... pena
... sacerdos ...
... ibi ... latitudo ita quod ...
... ut ... latitudine ...
... imponenda ... ex tota
ista latitudine ... ultra
... erat et ... /
... quod potuit ...
... potuit ... satisf/
... contra ... latitudine non
erat et ... arbitrium satisfaci
... contra istam latitudine
... explere hoc ... si ...
... residuum exigeret in purga/
torio et si ... imposuisset
contra ... latitudinem ... /
... magis exigere ... /
purgatorium valde ...
... distractu ... confessore

qui sciret solvere et ligare pt
cl et augi insipma teni
nt confiteri peccata ut communicat
gratiam querat sacerdotem qui sciat
ligare et solvere nec tamen negligen
tia se confitetur negligat ab
illo et nec omnibus confessionem ta
dat quia multi voluit evitare
et possit quod ego sua confiteri peccati
meliori qui hec pt confiteat
Secundo ergo medium in hac lati
tudine est ecce hoc natura de lege
dicit nec aliquo adulterio re[illegible]
et sic obligetur ad id medium
modum latum non est adimplere
sub conditione speciali et sub causa
et forma que communibus dispe
sunt expresse pene que dispe
sanis et pondus sit finibus se
compensande quibus tamen penitentie
in raro utitur hereticis de [illegible]
Sed est durum cum penitens re
maneat comple penam sed sacerdote
declarare non accipere Dico quod si
velit se sumi submittere sacerdoti
et quantum adsolvendum esse et
quantum adsatisfaciendum pene spiritualis
remittit que nec obligat ex precepto
esse nisi se voluntarie submittit
dicit Scotus et forte est id preceptum
quantum ad vos est utilissime ubi
dicit quod iniunctam sibi penitentiam propter
sacerdotem studeat adimplere Si
autem velit se tamen submittere huic
quam ad omnia pene esse
spirituale et non quantum ad tax
ationem pene spiritualis secundum quam
ad illam aut se submittere animam

dei vel hic vel in purgatorio non
expedit tamen dimittere sine ab
solutione aliquando non redderet de
peccatis ait cum [illegible] non est
sic impetro mortali nec contrat
apposito et velit primitus penam
eo et alio mun est iuste confu
gere eo hic voluit eo sibi
inflingi aliquo sacerdote non reprimet
velit eo recipere ut sit omnis
pene infligende non pro divi
illud foro inobediente quod pro se
submittere esse arbitrio quod ad
id indicium penale adeo tene
atur se submittere hic non velit
se submittere illi sacerdoti pene
et patet quod id non concludit nisi
in primo quod sequitur pro arte quod
nec conformet vocant pro [illegible]
valde cum et sequitur adiecte
confiteri absolvendum non magna
pena donat alia perpetrando se
quod ex aliud foro respondeat pro
solvere in purgatorio et ideo in
quantum convenit sit corporalia de pe
et sed talis nec deo dicitur est non
tamen pro hoc non recipit illius pen
pro nec coram non dico quod pro
in illa pena imponenda hic resp
pondetur eius ad suspendendo pertrado
sed quod termina pena illa possit
vel in purgatorio et hic admittit
augi d. Si tali non satisfacit
non post displicet prima tamen
est nec vide accipiat oratio
reddendi impetrum mortale quod
respondi penitens ista in quo

[illegible] peccabit mortaliter quia noluit se
submittere sacerdoti omnibus presup
posito Secundo durum est declarare
sic non sed satisfactionem modo re
bitam sacerdotis in clavis sine ex
tat et non peccatis Exemplo cla
vis sine erat cum non bene
conferat et exequitur in quod primo
ad indicium spiritualem cum incipiunt
restitutionem futuram non gravates
ut alienare sed si plus placet
amicis confessoris prius rectibus sub
eius non sequitur de actione confiteris
sed posse audit cum sit sibi
inoccurrat hic sequitur In primo
hic quod hic ad sequitur quod non est
factum si tamen non omittat quod
est factum ut si in [illegible]
non indicendum indicant et re
prime indicende sed aggrava
tes et potissime maior gravamen
pecti trahentes et quod est [illegible]
subire prohibite sunt ut dicit [illegible]
dictum est emptori [illegible]
sequitur reddi indicium sed tamen
omissa actione displicent confitens
non pro sequitur reddi indicium
[illegible] tenet dicit Scotus si cla
vis sine erat indicendo cum
indicia ad illa reddi et potissime
si veritas spectat confessor si in
non omittit de iniusta adeoque
penitens tenetur pro esse indicare
Si autem erat clavis esse ob
mittendo aliquid quod est contra
ad gentibus tunc spectat et non
pro esse indicare iniuriam et
potissime si non amicabit debet

[illegible] in confitens sed si omisit
et confitens tunc se dolentem de
peccatis et gratiam tamen non sit ita
sufficit est et tunc recedit a vera
prima et non omnino pro peccato mortali
nisi clavis sine erat sed penitens
si spiritualem erat et tamen satis
tate indicium sacerdotis modo quod
adimpleri facere quod fecit quod peni
tentiam quia ut est hoc non potuit
unde rex omnium perpetua extracta
pro non satisfaciat quantum ad illud
sufficienter quod non est capax in
sed tamen se reparare Si esset quod
omissa in confessione aliquis non re
tat erat iusta sententiam unde
modo satisfecit ut quod non in
stituit de actione confitentis spe
tantem est circa aliquid et aliud acum
indicat ad te absolutum Tertio
quod satisfecit quod in adsufficiente
si non sit factus si vero penitens
ita quod si sit spiritualem penam ad
ple si non satisfecit ex parte sacerdotis
qui ipse peccat errando et in omnino
de quo quod restitutum aliquid sati
sfecit ex parte alicuius sed sacerdotis et
confitentis aliquid ex parte in et non
in et aliquid de Tertio dico [illegible]
adimplere dicit quod in aliud loco de
clarare penitentie quod alius se
retrahit velle et inde est
et non loco declarare in spirituali peccata
quod est in materia omnia utilitate [illegible]
[illegible] expediunt ut [illegible] in
quod tamen probatum ut membra sit
digne remissio peccatorum sit tamen
aliquid pro alios si non digneris

vel rite dat in decem sindicum
digne possent etc. inde q
non consisten ut probat per aug.
in omni etate reperit q reddere
volunt parcis adeo ut potest esse
non posset sed ancienter sindicu
possent / Vidzm potest expediretur
q clauis sine an e alia pena
sed e cuius mostedi hec an
scendi examinandi ita eidem
dicitur q inspicere ex misericordia datur
claues sed non incisio sed q
prelati potestate detur in magistro
ut q prelati potestate subditi sunt
non ut fiat reparatio tamen eius
et salutis plus potest expellere curate
tas inferne per ministerium ad clavium
potest exercere q non ordinatum
facere prout hec claues illas
pertinet absolutionem communem etc.
dimitti potest non hec videtur
nego bone et absolute quando
cuius inde dicitur et tamen
non potest q tamen posse totam penam
debitam remittere nego q aliquando
e medium statim secundum centum
nequius secundo remittit tate et
non illi et tamen dicitur q possent
potest absolute posse totum dimit
tere id tamen secunda differentiam
circa iterata confessione causa peccatoris
pro clavium plus et plus de pena
debita remittetur et non probatur
quoniam q eius virtus e absolu
nomina in potest eadem rationis
contra eius posse pene remittere.
de et perfectio prelati absolute
summitas non pena in habere
mitteret potest pene tota remitti

q in necesse tamen q confiteri multis
pro 100 ut 1000 confiteri et
tota pena remissa debita q
sufficientes potest commissi Vide in
probabiliter q e alio in clavium
mittat potest pene remittendam
fuge eadem eius quod ut eius
apparet sed e q non e ex hoc
e alio non posset sufficere pena
eius quamvis si q possit semper
si nullam potest q illud unitur
sed tamen sub ordine decem ratificat
unitatem q e contrario in rebus q
potest ratificari q potest recitari
hic ordinem in summa diffinimus
pro litigiosis q absolvit ut
tisati q in recenti tamen
non potest tempore communi ut potest
postea tamen non si ceteri
absolvere i e prosequi primam
per primam q non e positio a
potestatis non solum q non solum
in ligatum / Idem ut hora q
q prius sacerdos non confitenti si i pra
e tamen dimittit quantum potest remitti
per clavium et in eo non remittit
exemplum e tamen alii confitetur tamen
quando in ipsum non ex hoc ratione
non quoniam contritione medio et etiam
satisfactionem et hoc eius
medium gradu q penam infertam
aliquam q non excedit totam illud
tamen ne inter tene confitens sub
ne et quod / Si autem potest confi
tentis si excedit item tamen absoluere
Vide in aliq. causa si potest
e amen in si non potest omnes

ab alio confessore de nouo penitentiam
debitam confidit magis ut si
noluit se submittere alii confessori
nec prudentem prima potest q in
ducit dictat peccatis si potest dici
nam non non tamen sufficit penam
si imposita maxime si potest
valeat excedere penam condig
nam / Si aut credat sibi deesse
re tamen e adire alium confessorem
prudentem eo exponere se in
purgatorio etc. de re eius
Dicat a q in cedem

Q uarta res quod dicendum quo
circa penitentiam inexhaustiis
valeat ad salutem q
sine ut q aug. in est
finire et post mortem loquitur de
se penitente ut non positum
q sic sunt exeat / Secundo et
dicit et post mortem et de pena
in penitente e eius tantum in
non usque ad mortem potest habere
penitentie remedium / Tertio ut
se mox penitet q se exponit
periculo sue salutis / Secundo est
potest habere penitentiam usque ad
annum vite i. e. / Tempore autem
augu in primo tamen hec a
nunc ad usque penitentiam peccatorum ut
morientes oblivisceretur pena illam
auctor oblitus e dicit / Tertio in ad
modum e aliquis locutus q peccator
tempore transgrediendi lege et per
ipsum omnes potest q non legislator
absque pena facere q tamen inde
penitentiam leges suae si primam
secundam vale e antique quidi
tatem prout vita q in non q

penitet penitentia si sunt pena
ensine saluat / Tertio alii dicunt
omnium primum cum pecca penam
temporale tenentur pro hoc si penitens
in extremo nullam penam soluit
ut salte in ipso in dicti q pe
nam temporale quanto debitam sol
uet in purgatorio / Tertio i pro
modo peccati de pena de morte
in extrema statim saluat et per finis
nulla pena soluet qui hominem
uitam / Modo aut secundum aug. inde
modo et prima prima et habet
de prima de si et post mortem
penitentia si in extremo ante hora
aduenerit penitet et liberat q
probat statim subditus multum
sunt sera prima latronis sicut
sunt sera eius indulgentia potest
est pro de peccato de et de die
q hora ingemuerit peccator etc.
/ Tertio prima penitentia interior
sed exterior in extremo fieri
penitentie sufficit ad salutem peccatoris in
extremis potest per aug. et post mor
tem quando deus si potest e et
in morte potest inuenire q placet
in opus potest non hominis sed de fructi
sera prima inspirauit ut potest qui
turpis aut sua omnia et per
potest q sue prima interior sola
per modum dispositionis seruitur de quo
disponat ad impetrandum pene
satisfactionem penitentie per modum satis oportet
ad eam si ab aliquo in extremis
Videtur hoc ut in eam ro
preceptus confessione habere q et i
alio penitente et per finis extra

primo dicto

2a q[uesti]o

percipietur et ita sequitur. Secunda questio
prima quod cum inexpertis haberi
vix est vera prima consequentis ad plus
licite quia difficile est tunc haec
vera prima quod primo quia tunc
impedit usum rationis et voluntatis
et liberum arbitrium ex dolore vel
timore etc. Dico ergo duos casus de
inexpertis quod gravia morbo
secundum legem communem incurabili passus
febre tertiana vel huiusmodi circa qui
subito moriatur cum moriatur adhuc
nulla moriatur causa apparente
qui ex causis eiusdem [illegible]
[illegible] mori statim [illegible]
[illegible] experimenta ut in pluribus
ut in infirmitate [illegible]
[illegible] gradu desperatum iudicio
medicorum vel [illegible]
[illegible] et
[illegible] alii [illegible] in [illegible]
[illegible] est maximus dolor
[illegible] vel timor et utrumque
[illegible] vehementer [illegible] est im-
pediens liberum usum rationis et vo-
luntatis quia secundum augustinum 83 q. 36
passiones [illegible]
[illegible] movet [illegible]
ad delectabilia [illegible] passio ad delectationes
vehementes impedit quasi totaliter
vel fere usum rationis secundum augustinum
[illegible] displicentiam
[illegible] adhuc [illegible] ad veram
primam [illegible]
[illegible] sunt
[illegible] liberum usum rationis
et voluntatis. [illegible] quod dolor
vel timor [illegible] impedit

intellectum vel voluntatem gradu [illegible]
[illegible] impedit et [illegible]
et [illegible] usum voluntatis et in-
tellectus [illegible] vix possit ad
displicentiam [illegible] et requisitam ad
veram primam [illegible] tangit
augustinus [illegible] peccata
[illegible] ligat [illegible]
[illegible] et dolor [illegible]
ut vix [illegible] cogitare valeat.
Secundo [illegible] displicentia
valeat et sit ordinata [illegible]
[illegible] et maxime
[illegible] et [illegible]
[illegible] ut scilicet [illegible] voluntaria
sit. Tertio tunc est displicentia haec actio
[illegible] sit tunc [illegible]
sunt [illegible] ex [illegible]
extorquere displicentiam [illegible]
[illegible] timore pene [illegible]
[illegible] remotus a pena [illegible]
[illegible] extorqueret [illegible]
displicentiam [illegible]
[illegible] voluntariam [illegible]
[illegible] displicentie [illegible]
[illegible] involuntaria
est [illegible] expressa
[illegible] voluntaria
[illegible] volun-
tarie [illegible]
[illegible] vel
alterius [illegible] et saltem
[illegible] sit voluntariam non
est [illegible] acceptam [illegible]
[illegible] timore [illegible] hanc
rem tangit augustinus [illegible] dicit
[illegible] vincere [illegible]
sed [illegible] diligere arbitrium [illegible]

voluntatem [illegible] ut dolor possit
[illegible] tantum
timore [illegible] timeat
penam qui penitet sed [illegible]
[illegible] peccata [illegible] malo
[illegible] tunc [illegible] re-
trahit [illegible] prime et hanc
rem tangit augustinus [illegible]
[illegible] quos illicite dilexit [illegible]
[illegible] et uxor et [illegible] ad
[illegible] prima
[illegible] detinere [illegible]
delectatio [illegible] prima [illegible]
[illegible] phantasmatibus vehementer
[illegible] et [illegible]
[illegible] alium
[illegible] ordinata [illegible]
[illegible] et [illegible] magna [illegible]
[illegible] displicentie ad habendum ma-
[illegible] displicentiam. Decimo quarto [illegible]
[illegible]
[illegible] displicentia
ut sit [illegible] displicentia ad delectationes [illegible]
[illegible]
[illegible] actus exterioris ad [illegible]
[illegible] ergo [illegible]
intensior actus displicentie [illegible]
[illegible]
[illegible] vix possit haec
intensio hanc rem tangit
augustinus [illegible] age penitentiam
[illegible]
[illegible] peccasti
[illegible] Si autem age penitentiam
[illegible] potest [illegible] te
[illegible] illa [illegible]
[illegible] libere [illegible]
[illegible] et [illegible] ante [illegible]
deliberatione [illegible] vigore
[illegible] intensius [illegible]
[illegible] patens haec [illegible]

vel vix et ergo dicit augustinus [illegible]
magnum est [illegible] desperat
veram primam [illegible] quod vix
est aliquis [illegible] displicentiam
[illegible] ut [illegible] Contra
[illegible] persuadendum ut
[illegible] in [illegible]
timore [illegible] expectare
primam [illegible]
[illegible] Secundum [illegible]
illud [illegible] persuadendum est ut
[illegible] laboret ad primam
ordinatam ut scilicet [illegible]
[illegible] dolore [illegible]
[illegible] et ut [illegible] displicentiam
voluntariam [illegible] delectationem scilicet
dei et [illegible]
[illegible] et delectationum et
laboret ad habendum displicentiam
[illegible] haec [illegible] breve. Et
[illegible] desperatione extol-
lenda est [illegible] expo-
[illegible] prima
sunt peccata [illegible] peccata indulgen-
tur. Tertia questio [illegible]
[illegible] peccatis [illegible]
[illegible] possit absol-
vi [illegible] possit [illegible] peccata
prima est [illegible] salutis
consequende [illegible] extra ne-
cessitatis [illegible] quod
[illegible]
[illegible] ad [illegible]
[illegible]
[illegible] non [illegible] vel
[illegible] in [illegible]
[illegible] ut possit
[illegible] absolvi et [illegible]
[illegible] potest [illegible] absolvi

3a q[uesti]o

sed enim omni tali expiratione
aliquorum sit penalitas tamen
in legem non sit etiam prout ex
ordinatione esse ut sic extra
de officio ordinarii cum pa-
storalis. Secunda [illegible] patet exemplis
secundum augustinum qui allegatur
est non sufficientia quia bonum sine
exeat. Ubi dicit beatus thomas [illegible].
[illegible] et quod sacra pena non
est recta [illegible] salutis [illegible]
recta est tamen [illegible] effectu quod
[illegible] non [illegible] penitet [illegible]
[illegible] valida
est autem est deus qui adhuc
peccare [illegible] penitentia [illegible]
[illegible]
[illegible] possit [illegible] voluntate [illegible]
[illegible] vellet id quod
[illegible] noluit [illegible] possit [illegible]
[illegible] penitenti [illegible]
[illegible] satisfacta [illegible]
id quod neglexit emendare [illegible]
potuit [illegible]
iusto [illegible] quandam heresim [illegible]
[illegible] patet quia iustitia divina
exigit quod hoc peccatum ab hoc
[illegible]
[illegible] penitentia
[illegible] est punitum [illegible]
[illegible] iustitia [illegible]
ut [illegible] puniat
[illegible]
[illegible]
[illegible] peccatum adhuc [illegible]
[illegible] penitentia penam [illegible]
[illegible] penam [illegible]
[illegible] usque ad finem vite [illegible]

hic est [illegible] pene [illegible] et
[illegible] quod tollet [illegible] penam
[illegible] non [illegible]
[illegible] satisfactoria potuit
sed [illegible] satisfactione neglexit [illegible]
potuit [illegible] quod [illegible]
[illegible] ab hoc [illegible] posse [illegible]
[illegible] adversarius [illegible]
pena purgatorii [illegible]
penam [illegible]
[illegible] pena [illegible]
[illegible] penitentis [illegible] et
[illegible] penam et [illegible]
[illegible] contrita [illegible]
pene [illegible]
[illegible] penitente [illegible] post
absolutionem in purgatorio puniat
[illegible] est aliquod peccatum [illegible]
[illegible] penas [illegible]
non possit expiari sed morte [illegible]
est maxima penarum [illegible]
[illegible] patienter tollere [illegible] pene [illegible]
ut latronum. [illegible] dicitur quod [illegible]
iusti [illegible]
[illegible]
[illegible]
[illegible] pene [illegible]
[illegible]
[illegible] punitur
in purgatorio [illegible] ta-
men [illegible]
[illegible] homo [illegible]
[illegible] erat et hic [illegible] homo sibi
ipsi imputare quod [illegible]
penam [illegible]
est [illegible] legis [illegible]
plus acceptat [illegible] voluntariam
[illegible] interiorem [illegible] magnam

[illegible] penam et plus pu-
[illegible] quod magis
[illegible] penam in purgatorio [illegible]
[illegible] ut dicit [illegible]
hic est magis accepta pena
[illegible] est inflicta in pur-
gatorio [illegible]
[illegible] recipiendi [illegible] modica pena
[illegible] plus satisfaciant magis [illegible]
[illegible] divina iustitia [illegible]
magna iniuria [illegible]
[illegible] exigit ut ei satisfiat [illegible]
[illegible] mors [illegible]
est pena [illegible] peccatum originale
[illegible] nam [illegible]
[illegible] mortale [illegible]
purgatur [illegible] actuali. Si
[illegible] morte illatam patienter
[illegible] et si [illegible]
sit illata ut [illegible]
valet ad diminutionem pene et
[illegible] ad liberationem [illegible] peccata [illegible]
[illegible] et [illegible] patientie
[illegible] et dicit beatus thomas [illegible]
de [illegible] quod mors violenta
non est [illegible]
[illegible] debet [illegible]
talis mors [illegible] est iusta ut [illegible]
[illegible] actuali [illegible]
[illegible] est [illegible]
[illegible] satisfactoria [illegible]
[illegible]
[illegible]
[illegible] ut [illegible]
[illegible]
[illegible] penitentie [illegible]
illa [illegible]
[illegible] et
difficilis [illegible]
et [illegible] dicit augustinus [illegible]

[illegible] dico quod [illegible]
[illegible] homo [illegible]
[illegible] qui [illegible] se exponit [illegible]
salutis [illegible]
[illegible] actu [illegible]
[illegible] penitentie [illegible]
[illegible] tali actu exponit se periculo
et [illegible]
[illegible] peccato [illegible]
est [illegible] penitentie [illegible]
[illegible] legislator [illegible]
[illegible]
[illegible]
[illegible]
[illegible] debuisset [illegible]
aliquam penam [illegible] lege
[illegible]
[illegible]
[illegible] et [illegible] possent [illegible] penitentie
[illegible] a lege [illegible]
[illegible] lapsi [illegible]
[illegible] quod pena possit esse [illegible]
[illegible] et [illegible]
[illegible]
[illegible] et magis [illegible]
[illegible] quod possit [illegible]
[illegible] quod id non est [illegible]
a lege [illegible] accepta [illegible]
[illegible] lege
[illegible] legislatoris [illegible]
[illegible]
[illegible]
[illegible]
aliquo [illegible]
[illegible]
accepta [illegible] id
[illegible] et [illegible]
[illegible] talem [illegible]
[illegible] magis est [illegible] usque

adsunt vite maiores penitentiam
salvarent quod pro quolibet peccato
extra articulum mortis penitentiam
quam antiqui patres statuerunt
peregrinum ad finem per destitutionem
domus [illegible] aut [illegible]
reducere alios et si aliquem peccantem
cum tali peccato quo fuerat deceptus
merito ... secundo quod
illud penitentia alias pena pro
peccato sit in spatio non dispositi
tempore quod non potest ea sic explere
ut debet sed in purgatorio tempore
quod sit in purgatorio et secundum
hoc non habet quam sit in re digni
penam illam sufficere ... et sit pena
peccati pro peccato ... fuit
pena ... imponenda quod
si qualiter sufficiat adimplere
sed non et remanet ad confidere
de ira Dei quod et si prohibet
in conscientia ... vel si non
... non potest ... longo tempore
... et aliter pena ...
... ipsum ... de ira Dei
et eius iusti ... quod obiit
... quod ... esse
... morte ... peccato ...
... indignam
... mortem ... debitor
in pene promissis quoniam peccati
non fecit ... retardatum
... debitor ...
... consuetudo ...
... pena ...
debitum pene ...
... et ...
... penitentes ...
non possit petit in penitentiam ...

signa et absoluit et si petit
non penitentiam et cum adductus sacerdotes
obmutuit et absolui
... dissimulatione
penitentiam petit ...
... consiliis ...
... cum ...
... audiretur et
...
... cum redit
...
... penitentia
...
...
...
... potest ...
... medicina
... imposita
...
...
... hec
...
...
...
...
...
...
...
...
... et operandi facultas

Quarta ... confessor teneat
... celare peccatum
... in confessione detectum ... non

... continuitatis ...
... confitenti
... celare peccatum licet
...
... ut non teneat celare
... dedisse
... et ...
... preceptum ... constitutum
ad ... militat
... celato peccato
confessi ...
...
... peccatum confessum ...
...
heresim ... proditio rei publice
et ...
illud ...
...
... aliquid ...
...
... memore
...
... memoris ingressum
penitet et ...
...
... penitentibus ...
...
...
... alios ... non
penitentibus confessionem ... confessi
...
... confessus ...
...
...
sacerdotes absoluit aliquo
...
non possit eum absolvere ...
non ...

... peccato ...
...
... confitendo ...
... peccatum ... symoniaci
... revelare
... peccatum ... peccati
...
confitens penitet ...
... regula ...
...
... monachum ...
...
...
... suspecta ...
...
... possit ...
... amovere
... ut
non habeat occasionem peccandi ...
eum amouendo revelat ...
... fuisse
... confessus ...
... devenire
...
confessionem ...
...
... confessionem ...
...
...
...
...
...
... illud ...
...
... et ...
...
...

facere spectat confessor dicitur ut
vi quod si in speccato vel professum
pro illud inuidisse ministris
confitentibus debeo eum frequentem
critare ut confiteatur suis confessoribus
licet aliquem confessorem inferiori
et parum re peccatum aliquando re-
uelare. Quo quibus te confitentem
suam plus confessionem illesam confes-
sor alicui id est [illegible] ordo sacer-
sed sacerdos si semper relacet peccatum
quod audit in confessione meretur depo-
sicionem quia confessio secreti adduntur
[illegible] [illegible] illo et rogit in
reuelare debet [illegible] [illegible] qui
hec non licet peccatum confessum
reuelare. Nota dicitur quod dixe
[illegible] et [illegible] sacerdos om-
nia teneat ne delicto qui con-
fitentis si peccata eius [illegible] re-
uelet et sic pena non si hec
fecerit deponatur et aliis diebus
vite sue ignominiose peragat.
Ex de pe et re omnis utriusque
sexus. Teneat enim [illegible] vel
signo aut alio quouis modo
prodere peccatorem et si si peccatum si
detectum [illegible] reuelare
non solum a sacerdotali officio de-
ponendum [illegible] verum etiam ad a-
gendam strictissimam penitenciam arcti-
ssimum monasterium detrudendum.
Nota de secreto confessionis so-
lent aliqui distinguere. Primo
in quibus sacerdos potest dare confitenti
licet [illegible] penitens et volens
aperte absolui et nisi sigillum
confessionis claudit omne quod si [illegible]
peccatore [illegible] sit quod non vult aperte

describere ut si reuelat peccatum
[illegible] vel occidendi hominem
vel [illegible] [illegible] et tunc non tenetur
sigillo confessionis claudere si hoc potest
dicere ei tunc potest proferre et non
obstare. Tamen quod est ... contra
illos quos ita relinquit ac peccatum
in confessione detectum tenetur sacerdos de-
tegere non illud. [illegible] [illegible]
qui sit eadem persona vel [illegible] affir-
mare potest loquitur in persona alicuius
quod negat in persona [illegible] eandem
[illegible] in persona [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] loquitur in persona [illegible]
sicut apud hoc [illegible] predicti
in foro confessionis [illegible] potest [illegible]
quod [illegible] illud [illegible] [illegible] potest [illegible]
[illegible] [illegible] [illegible] [illegible] di-
cens se audiuisse ut [illegible]
id [illegible] [illegible] est [illegible] [illegible] no-
[illegible] non debet [illegible] [illegible]
[illegible] [illegible] non dicitur [illegible] [illegible]
[illegible] est [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
in persona est [illegible] doctores valde.
Sed [illegible] est [illegible] etiam
quod [illegible] dicitur non quod audiat
ut deus vel in persona dei si [illegible]
[illegible] et [illegible] dei ut [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] non dicitur. [illegible] licet
[illegible] sit [illegible] [illegible] non
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] potest [illegible] [illegible]
[illegible] in persona est [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible]

in persona dei [illegible] [illegible] absoluendo pe-
nitente sed in persona [illegible] [illegible]
etiam audit et cognoscit. [illegible]
[illegible] non absoluit [illegible] [illegible]
[illegible] absoluit [illegible] [illegible]
[illegible] non [illegible] si [illegible] in persona
[illegible] si [illegible] in persona dei absoluendo
confitente [illegible] [illegible] [illegible] [illegible]
[illegible] te absoluat [illegible] posset
dicere eo te [illegible] absoluo et
[illegible] [illegible] [illegible] [illegible] [illegible]
vere in persona dei ego te eduxi
de egypto etiam confessor est [illegible]
[illegible] [illegible] [illegible] et [illegible] et [illegible]
in persona dei. Sed [illegible] [illegible] non [illegible]
[illegible] audit vel absoluit in persona
dei quod confirmat [illegible] in persona [illegible]
[illegible] [illegible] excellentis [illegible] est ille
[illegible] [illegible] et est [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] in [illegible] in persona [illegible] [illegible]
ubi [illegible] non [illegible] hoc est [illegible]
[illegible] et in persona [illegible] [illegible] [illegible]
[illegible]. Cum [illegible] [illegible] [illegible]
[illegible] et [illegible] id [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible]. Cum [illegible] absoluere
[illegible] non [illegible] [illegible] [illegible]
te absoluo [illegible] ego [illegible] in persona
[illegible]. Hec [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] in persona [illegible]
[illegible] absoluat vel audiat [illegible]
in persona [illegible] si [illegible] in persona [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] hec [illegible] in [illegible]
[illegible] [illegible] [illegible] [illegible] detecta
in confessione et [illegible] in persona [illegible]
[illegible] [illegible] confitente hec

[illegible] [illegible] de pe et re [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible]. Sed [illegible] [illegible] [illegible]
[illegible] confitenti sit [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] sit [illegible] sit petat habe-
[illegible] [illegible] [illegible]. Confessor [illegible]
potest [illegible] [illegible] [illegible] peccatum sibi
detectum in confessione [illegible] [illegible] [illegible]
[illegible] non sit [illegible] [illegible]
confitentis vel possit deuenire
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] hec non [illegible] [illegible]
[illegible] hec [illegible] sit [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] id [illegible] [illegible] [illegible] [illegible]
sed non [illegible] [illegible] [illegible] [illegible]
peccatum [illegible] [illegible] [illegible] sibi
confessa et [illegible] [illegible] [illegible] sibi
[illegible] sit [illegible] [illegible] et [illegible]
[illegible] et [illegible] [illegible] [illegible]
ego te [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] quod non sit [illegible]
in persona [illegible] et [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible]
in persona [illegible] [illegible] [illegible] [illegible]
illud [illegible] est [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
vel [illegible] [illegible] [illegible] [illegible] ut
[illegible] [illegible] [illegible] [illegible] [illegible]

loqui impna illi ut ad fine
et id quod cito desistit a fondo
ut dico sed ne fuerit ut dicens
dicere quod in conuersis ut in desperis
cum tunc faciat ut loquatur
more suo propter hec omnia
de loco illo eius consilio impna
dum cito sit audit fecit auditionem
confessione ut absoluit impna
dicit et tamen ut conuerso dicit omni
actu io et ut conuerso agit
et si ut conuerso impna propter
gradu et quod si ne audit omni
[illegible] dicit posset id occasionalis
quod impna propter omnis posset
Sed impna dicit posset vere
dicere ergo sed dicens consumatum
dico sed impna propter sit locum
quod contracte sed sicut consensu
nec audit nec loquitur ut dicens
sed impna propter illis [illegible]
[illegible]

debet esse sine retentione omni velle
et hoc est omnis omnia propter
Sed et diligere proximum tamquam
se ipsum sed quia sine retentione
dicere diligere propter formam
et reuelatione sui peccati confessi
et peccatum confessoris dicit de diligere
et velle ipsi confesso sed reue-
latio tollit ipsi confesso formam
[illegible] consuetudinem scriptura [illegible]
Quod habet debitum nec et
reddit hec hec omnes [illegible]
[illegible]
[illegible]

et ea quibus tenetur de lege nature
seruare fidelitate proximo suo
quam vellet et deberet velle sibi
seruari si committeret alii peccatum
maximum vellet sibi seruari et
deberet velle [illegible]
[illegible]
illud hec [illegible]
Item ambulat fraudulenter
reuelat arcana [illegible]
[illegible]
[illegible]

superiores in ferarchie et here
[illegible] utilitatis membrorum ecclesie
si reuelare peccati excludit
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
Sed contra [illegible]
[illegible]

igitur petat confessor tam legem
quod quicumque ad confessorem illo di-
scussa et ibi finiat firmatum
deducunt ad aliud forum punitur
3° per [illegible] occasione peccandi
confessor dans in exequendo
preceptum quod peccat confessor
quod preceptum quod est dele-[illegible]
quendam et confitentem confite-
fiunt conclude exequi [illegible] re-
uelaciones confessionem dat occasionem
concludere exequendi preceptum quod
de preceptis confitenti quod conclusum
dat ei occasionem ut ad con-
fessionem laudet aliquid et aliud
quem odit corrumpit ut per
conclusionem confessionem promoueat et
alium conuincat. Tercia questio
relacio peccati in confessione detec-
ti de facto de lege est po-
ssibilis per excellentiam ad [illegible]
de pena reuelationis [illegible]
[illegible] et est racionabilior quam
[illegible] quod expedit [illegible]
[illegible] aliquid [illegible]
[illegible] frangebatur [illegible]
quo [illegible] possit [illegible]
[illegible] [illegible] quia
[illegible] [illegible]
[illegible] committere [illegible]
[illegible] quod [illegible] per [illegible]
tacet et [illegible] [illegible]
custodia [illegible] Quarta questio
[illegible] confessor [illegible] confes-
sione reuelet [illegible] et
[illegible] audit [illegible]
[illegible] tenetur relacio [illegible] transfe-
rens ad [illegible] confessio quod

[illegible] dicere [illegible] transferre
[illegible] dat alteri ius [illegible] [illegible]
[illegible] transferendi [illegible]
[illegible] habuit ius transferendi [illegible]
[illegible] potuit dare ius transferendi
alteri quia [illegible] dat quod non habet
[illegible] confessor reuelacionis [illegible]
ius transferendi illud in alterum
et [illegible] transferatur [illegible]
reuelat [illegible] ius ulterius
alteri reuelandi et audiens
confessionem alterius [illegible]
[illegible] audiuit [illegible] petat [illegible]
[illegible] adplenum. Si [illegible] do-
[illegible] confessor [illegible] hec
[illegible] adplenum tota [illegible] questio
[illegible] [illegible] [illegible] ad-
[illegible] et [illegible] [illegible]
[illegible] relacio [illegible] et [illegible]
quod est preceptum [illegible]
[illegible] [illegible] [illegible]
confessio [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] concludit [illegible] de-
precepto negatiuo [illegible]
[illegible] relacio [illegible]
[illegible] [illegible] [illegible]
reuelacio sed [illegible]
[illegible] concludere [illegible]
[illegible] et quomodo [illegible]
[illegible] confessor [illegible]
[illegible] et [illegible] [illegible]
confitens [illegible] [illegible]
[illegible] et [illegible]
[illegible] confes-
[illegible] confitens et [illegible]
[illegible] confessione [illegible]
et [illegible] [illegible] [illegible]

audit et refert [illegible]
[illegible] tenetur adplenum [illegible]
[illegible] alteri ab illo [illegible]
[illegible] Si [illegible]
[illegible] aliud [illegible]
[illegible] quod [illegible]
[illegible] detectum [illegible]
[illegible] confessio [illegible] et [illegible]
illud [illegible] probat [illegible] licet
[illegible] extra [illegible]
confessio [illegible] audita [illegible]
confessione [illegible] [illegible]
ille [illegible] ut [illegible]
[illegible] sed [illegible]
requireret [illegible] debere(t)
facere ut [illegible]
[illegible] absoluit illum [illegible]
[illegible] quam [illegible]
sacerdos illi [illegible]
deberet et [illegible]
requirere [illegible]
[illegible] sed [illegible] aliquo
prudente [illegible]
[illegible] quod [illegible]
[illegible] [illegible]
[illegible] confessor [illegible]
[illegible] confitente
[illegible] confessore [illegible]
[illegible] et [illegible]
[illegible] prudentem [illegible]
[illegible] audiendo [illegible]
confessione [illegible] absolui
per sacerdotem [illegible]
[illegible] confitens [illegible]
[illegible] [illegible]
[illegible] sit [illegible]

[illegible] quod [illegible] alteri [illegible]
[illegible] [illegible] [illegible]
[illegible] quod confiteretur [illegible]
[illegible] dicat illi ego [illegible]
non possum te absoluere sed [illegible]
[illegible] ad superiorem et [illegible]
uel [illegible] ego mandabo uel
[illegible] superiori [illegible] ut
te absoluat uel [illegible] committat
[illegible] absoluendi te [illegible]
dicat [illegible] forte
[illegible] confitenti [illegible]
quod [illegible] superiori [illegible]
[illegible] [illegible] et ut
[illegible] confitentis [illegible]
[illegible] ut illud [illegible]
[illegible] confessione absoluat uel [illegible]
[illegible] absoluendi [illegible]
committat. Sed [illegible] possit
[illegible] ut reuelet [illegible]
[illegible] confessor [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible] et [illegible]
[illegible] [illegible] [illegible]
confessionem et [illegible]
Quinta questio confessor tenetur re-
uelare [illegible] peccatum confitentis
[illegible] et [illegible] [illegible]
reuelat [illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible] relare
tenetur [illegible] quam per-
[illegible] [illegible] [illegible]
adplenum et [illegible] quod
confitens [illegible] [illegible]
[illegible] quia [illegible] et
debet uelle [illegible] [illegible]

ga tamen qua peccauit sic pri
mo maius illa pena fuit ...
iuncta cum tamen eo plus tene[tur]
ad restitucionem ... quod p[ro]
omisit et ad custodiam illi[us]
bonum quod custodire ... eius ob
stante casu ... fideli
tas eius et ... com
...tas sunt ... ut plus
Sed ... p[ro]p[ter] ...
eius celatio ... agitur d[e]
...at eius ad aliud forum quod
... foro ... et
... committitur ... eius fo
ro ut plus habitum ... [illegible]
... ad hoc peccatum relinquendum
... quia de lege n[atur]e ...
precepta supra de lege n[atur]e et
explicata in lege ... ta[n]ta p[ro]
... illud quodcumque ... ut
faciat ... illud
de forma et de ... p[ro]
missi et ... suprauis
administratores ... ad
... contra ... ad
... eius actu quod
fuit ... tempore ...
...di in committendo aliqui
peccata ... de p[ro]
... confessor et peccatum ...
peccatum eius ... illud quod
reuelans petit ... ut te
neat peccatum ...
exprimendi ... quod uelit peccatum
tenere et committere ... ut pec
catum et eius ... re
... ad ... ratione ... e
relando ... eius exprimat

quod ... relacio ... quod ...
... eius ... eidem ... ...
de quo ... alio peccato ... de ...
... Si ... in ... re
uelat ad ... peccatum
... si aliquam ... penam ... con
... compositor ... ...
... quod ... eius ... pre
... Ideo ... de ...
... reuelat ...
... quod ... eius ... ...
ad ... ...dicta ... ... p[ec]
catum petitum confessio ...
relacio eius ... ...
... eius ... et ... ...
... ex ... reuelare ...
... ... et
... quia ... reputat
aliud ... et ... ...
... ...
... ...
... ...
... ...
... ...
confessor ... ad reuelandum
... confessor ... ... teneatur
... et ... quod
... reuelare ... confessio
... ad reuelandum ... ...
licencia ... ...
... te ad ... ut ... ...
... Si illa licencia ...
... ad reuelatorem con
fessionis ... ...
quia iudex ... aliquem ... ...
... aliquo ... ...
... licencia ... quod

... audiuit si daret licenciam
et data ualeret ... ...
... si ... dat et dare
possit ... habet amplius
prospectum et ita ... ...
... peccatum quod dictum est
confessore ... ...
... ad reuelacionem confessionis
ut ... ...
... ... confessor
... peccatum ...
... ... peccatum
... ...
et si ut peccatum ... licenciam
... ... confessore
... quia tenetur relacio
sed si ... ut ... habeat
peccatum et ... apud ali
quam ... ut aliquas ...
... ...
... reuelare ...
illius ut illis ... confessor ...
... illud ... ...
... ... peccatum ...
... ... illud audiui
... ...
... ... et ... ...
... ... peccatum ...
... reuelacionem ... ut ...
... quo ... reuelare et
... confessor ...
... audiui confessionem ... peccatum
... confessio ... ...
illa ... ... peccatum et
... exprimat ... eius
... ... dicit ut faciat
ad ... ... possit ...

... ut ... ut
... alias reuelator e[st]
confessionis et peccat ... ut
ut ... fuit ... et ...
et ... ...
... ...
... ...
... ...
... ...
... ... et ...
... de bono ... ... id de
... ...
... ...
... ...
... ...
... ... ut ...
... ...
... ...
... confessor ... ...
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... ...
... ...
... ...
... ...
... ...
... ...
... ...
... ...
... ... reuelare ... ...
... ...
... ...
illud ... confessio ... ...
et ... ...
et ... ... reue
lare confessionem ... ... et
... ... et ...
... ... et ... ...

seruat quod dedit [illegible] dici
post quam sciret [illegible] omni//
sione hec post non intrandi
monasterium aliud alterius [illegible]
[illegible] deserta et ad//
[illegible] aliud post [illegible]
[illegible] et [illegible] vel [illegible]
[illegible] hic vel illud facere ad il//
lud vel ad illud loca [illegible]
[illegible] predam aliud
et si [illegible] allo//
gata [illegible]
[illegible] non [illegible] reuelat [illegible]
Sed cum non [illegible] ex aliqua
[illegible] [illegible] qui [illegible]
illius [illegible] confessum [illegible]
quod [illegible] nemini et
si exponat se morti hic est
[illegible] ut secundum [illegible] de//
sigillo confessionis et [illegible]
[illegible] [illegible] dici
secundum Scotum quod [illegible]
[illegible] quod [illegible]
[illegible] adiunxit et [illegible]
ad illud [illegible] non [illegible]//
[illegible] reuelator confessionis [illegible]
ad quod [illegible] peccatum
confessum [illegible]
[illegible] illi si non fuisset
[illegible] intrinsecum//
[illegible] [illegible] [illegible]//
[illegible] confessum [illegible]
[illegible] illud Si tu [illegible]
[illegible] sua [illegible]
[illegible] peccati confessi
[illegible] et [illegible]//
[illegible] fuisset [illegible]
[illegible] Et [illegible] quod
signum quod [illegible]

ad [illegible] peccatum fuisse confessu//
[illegible] non fuisse [illegible] aliquibus
sit signum [illegible] ex//
aliquo [illegible] non [illegible]
reuelatum [illegible] non [illegible]
[illegible] confessor vel [illegible]
quod confessor [illegible]
[illegible] [illegible] [illegible]
[illegible] confitenti
quod [illegible] confesse [illegible]
[illegible] [illegible]
quod [illegible] [illegible]
[illegible] et [illegible] in//
[illegible] culpam [illegible] quod
et [illegible] quod [illegible]
sed [illegible] [illegible]
culpa [illegible] et [illegible]
[illegible] [illegible]//
[illegible] [illegible]
[illegible] [illegible]
[illegible] quod [illegible] et
[illegible] [illegible]
[illegible] opportunitate confitendi
[illegible] confessore [illegible]
et [illegible] non possit [illegible]//
[illegible] confessore
[illegible] quod si [illegible] possit [illegible]
[illegible] confessor quod [illegible]
[illegible] et [illegible] possit
[illegible] et personam
illam confessum [illegible]
[illegible] confitendi [illegible]
et [illegible] ad [illegible]//
di si culpam confessam [illegible]//
[illegible] culpam suam
quod ad [illegible] [illegible]
[illegible] ut probant [illegible] ad [illegible]
[illegible] facte et [illegible]

Postrema [illegible] ut probant [illegible]
ad [illegible] tene//
de lege pena [illegible] ad maius
ut dictum est [illegible] ergo
confiteatur deo [illegible] et ex//
hic [illegible] quod qui [illegible] [illegible]
[illegible] [illegible] maxime [illegible]
[illegible] audiscet
maxime [illegible]//
[illegible] non potest [illegible]
[illegible] hic quod probat
confessionis [illegible] confessi [illegible]
[illegible] [illegible] [illegible]
quis non possit confiteri [illegible]//
[illegible] de aliquo [illegible]//
[illegible] [illegible]//
aliud [illegible] [illegible]
reuelaret personam ad qua
[illegible] [illegible] alterius
et ipsi [illegible] ut si [illegible]
[illegible] et non
[illegible] quia [illegible]
[illegible] illud non possit confiteri
[illegible] non [illegible] peccatum sic
sic [illegible] et [illegible]
[illegible] [illegible]
[illegible] quod [illegible] [illegible]//
[illegible] [illegible] non [illegible]
quod persona sit [illegible] vel [illegible]//
[illegible] [illegible]
non [illegible] et [illegible] est
[illegible] [illegible] confiteri
Et dubitaret [illegible] hic
non [illegible] sit peccatum [illegible]
et [illegible] personam
[illegible] non [illegible]//
[illegible] sub sigillo
confessionis [illegible] et [illegible]
et [illegible] non [illegible]

[illegible] non est [illegible] [illegible]
[illegible] vel [illegible]
ad [illegible] possit deuenire [illegible]//
[illegible] consitentes [illegible]
[illegible] aliquo [illegible]//
[illegible] ex lege [illegible] vel [illegible]
[illegible] [illegible] [illegible]
[illegible] ad [illegible] si [illegible]//
collegio [illegible] [illegible] vel
sed non qui [illegible] extra monasterium
[illegible] vel si [illegible]
[illegible] [illegible]//
[illegible] vel non possit [illegible]
Sed [illegible] [illegible] vel
ut [illegible] quiescat [illegible]
[illegible] laboret [illegible] ex//
[illegible] [illegible]
[illegible] presidenti [illegible]
[illegible] quod [illegible]//
fessum [illegible] [illegible]
loco ex monasterio ubi mora//
[illegible] ad monasterium [illegible]//
[illegible] peccatum confessum
non [illegible] licet ad [illegible]
quod confessor [illegible]
ad confessum [illegible] confessionis [illegible]
ad [illegible] ex [illegible] illi
[illegible] audisset Si
[illegible] [illegible]
quod non [illegible]
ad claustrum [illegible] aliis//
[illegible] ut [illegible]
[illegible] confessum
ad monasterium [illegible] Sed
si prior [illegible]
[illegible] apostatam [illegible]//
[illegible] si [illegible]

confiteris. Si dicitur non apponitur re//
medium ad salutem eius. Respondeo con//
sulat sacerdos confessori prudenciori
modo quo poterit ut illud locum
episcopo dimittat vel alii ut
illud remedium quod videtur tenetur
excludat quod si noluerit facere non
acceptet ... sed defectus ac//
tus ... incorrigibiles
... declinat ...
confessor ...
illi confessor dissuadeat ...
ordinis ... status ... quod
... indigne ...

[illegible]

notitiam eum habuisse per talia. Sic
in pluribus primo certi casum
dubium cum sciret eum confessionem
et tamen hoc perdidit credit teneri
adhuc revelare. Circa hoc sunt
tres dubie. Primo confessor scivit
enim dictorum omnibus quidam
sit dicendum et sicut diligentia
quod illud quod scit ut deus certa dici
non cognitione sit et scire ut deus
cognitione sit. Ita quod homo ob-
livisci omnium recordationem et
memoriam aliud scit propter quod
alicui hoc asseruisse se vidisse
et recordatur se audivisse quod
relatum est memoriam recau-
divisse per confessionem et scire dicit
esse scita et memoriam recordari scire dicit
esse memoriam revelandi quorum unum
non fundat aliud ut si quis
diceret eo videri aliud vel diceret
eo audivisse illud manifeste non
enim modorum non fundat
aliud. Et ergo in sigillo confessionis
fractione et fundatio et absque
fundatio credit per illud quod
scitur esse per confessionem et adhuc revel-
ari ut scitur adhuc ita tamen quod
ut scitur per confessionem permaneat
inviolatum. Secundo sit enim scita
esse enim quod stat fundamentum credendi
sed si esse possit quod ita alicui
testificatur vel testificatione
tacita latebit veritas et negli-
gabit fides. Tamen si confessor
deus culpa audiat et ipse te-
stificatur non credit sed fundamentum
credendi ergo hoc non dicit sed
scire quod non tenetur id revelare si

possit dicere ut alias cognitum sit
confessum vel alias ut publicum
Tertio fratres et dolos contra
etiam proximum si esset sciret scire
reum et circumscribere dignitatem hac
persona consistit ut claudat oculos
sanctus si quod claudit et aperit
innocentem in proximum fraus et dolus
sit proximum. Et si hoc esse communis
et publice hac non sit tamen in
non res est sciat ut publicum et
scire possit manifestum sic tamen
quod manifeste ut scitur per confessionem
illud memoriam. Quarto non tenetur
confessio credere si idem quod veritatem
quam per confessionem vel quod alias ut
scitur non per dicere neque quam
memoriam quod memoriam ut hoc ut
memoriam ut publicum si ergo vera
ut credere dicere tenetur quod ut
homo memoriam revelare vel illud
quod memoriam ut publicum tamen adhuc
possit iuramentum actum ipsum
ut dictum sicut fuit per Christo esse
quod esse teneatur arctare aliud sed
proximum per prelatum tamen commendato
dominus quod commendato prelati sui
quod ille credit ex potestate et propria
audivit confessionem praedicto illo si
quod teneretur comprehendere et conceden-
dum confessionis reddidit in competente
tunc quam audivit eius confessionem parti-
tionem certum quod in ea propter-
dicto non est fructum cum tenetur
talis possit condemnari super
supposito si tenetur relevare quod alias
memoriam probare vel et comparat
tamen quod vadat propria et commune

petere magistri omni unde etiam
semper est prelato et primi etiam
proximum et ipse consistere communi dicto
et etiam alii audivit eum confiteri
tamen et testificant tamen eum
et admonens rursum testimonium
admoneat etiam et etiam perpetit quod di-
scit et se eum comprobat quod non
diceat semper sit cum alicui alteri
et plures possit eum tibi ad-
ducere testimonium non obedientia
notare et punire si quod hac te-
stimonium cuiusquam esse scire quod notare
meorum relevare scitum illud
quod quis scit per confessionem et est
aliunde tamen publicum sed
cum confessionem sed per se sit hoc sed
quod illud non revelet ut non
sit per confessionem. Et addit hoc ca-
quod quod post etiam alicui primum
dato gratia maxime apud
penitentes et est apud alios
secundum dicit ipse quod debono et
equo magis est relevare quamvis
alii est non sit per confessionem et in
hoc scandalum perfectis est ei
confessio manifeste quod non accepit
illud sub sigillo confessionis et quem
non est relevare non quod in confessione
{ut} confitit si ius revelandi semper
proximo auferet tamen scandali
est et permittere se regi eadem
regit autem quod sed credit que a
fundamentum sed primo dictum fu-
turis et est regit credere dicere
de illo et extra per dicere sed
remorsu consciencie non omnino in
credulitate esse revelandi alic-
uius sed scitum est de hoc est annexum

confessionis sigillum. Decimo quod si quis scit
ad prelatos ut secreto sed per confessionem
sed aliunde ipse in nomine illorum
prudenter cognitio est per litteram ma-
nifestat et illud est tamen hoc
esse extra confessionem per eum ali-
unde scit ut publicum si vi-
dit vel audivit in memoriam publi-
ce vel ut publicum vel quod continue
dicto inducere deo non sigillum con-
fessionis ita annexum esse confessionem ut
et sacerdos confessionem audit hoc ipse quod
audit se obligat ad secrete te-
nendum et si tamen sciret quod expressa
permittere revelari quod id tamen nunquam
dicit tamen tenetur et omnino relevare
id esset per quod scire id relevare quod
est aliud quod per confessionem memoriam
hoc ca quod ille permittit se hec re-
tenta ipsum confessionem et idem
confessione audita et non quod
esse per scitum sed per confessionem et ac-
tum permittit et si ad permittet
tamen alii credibus et obedientia
semper revelare per expressio-
ne iuramento tamen nullo esset
unde si vidissem proximum occi-
dentem et peto quod teneretur dicere
sed si inter scire non dicere non
absolveret quam deus et scitum
esse prima depositum pro quod tunc
uniformiter iurare. Decimo octavo quod
dictum esse non est sacerdos primo
audientia reverendi vel loquendi
desunti deo quod per confessionem memoriam
pro quod confessionis sigillum adeo est
impeditum ut non possit certe scire
communem et dignum est ut tollatur

[illegible] confessione

debet omnis suspitio ne inde scrup-
pulum generat sacramentalis confessio
Secundo dubium an confessio generalis
quam solet fieri breviter valeat ad
aliquid Respondetur primo quod si
fit ex radice cum [illegible] admixta
quia omnis actus penitentie fere
eadem est meritorius Secundo con-
fessio est actus virtutis quia
humilitatis Tertio [illegible] quod
confert ad dimissionem venialium
quia aliquis habens propositum ge-
nerale venit in notitiam specialem
aliquorum venialium et displicentiam
eorum sicut frequenter contingit in oratione
originali [illegible] ut proxima reddi-
dimus dedicis et facit[illegible] et
similiter tamen constat quod confessio ge-
neralis valet ad remissionem
illorum venialium ubi adhuc voluntas
displicentia perseverat non actualis
habetur de eis et confessio [illegible]
dicta eciam diminuit de pena
aliquam sicut [illegible] originali confessione
et contritione et adhuc cum [illegible] di-
mittentur peccata venialia quia
cum sit ad dolorem peccati veni-
alis quam mortalis Sed tertio
et quarto confessio sufficit ad dimissionem
peccati mortalis cum sit addi-
missione peccati venialis sed con[tra]
tum et confessio generalis Et est adver-
tendum quod duplex est confessio generalis
una scilicet cum adest confessio completa
de peccatis [illegible] convenient
et venialia originali alia
est non scilicet [illegible] omnibus
[illegible] forma [illegible] virtute
remittendi peccata venialia
scilicet ex parte penitentis et ex-

humilitate confitentis et ex parte
absolventis et per clavium
secundum solum [illegible] virtute [illegible]
[illegible] et non ex [illegible] quod illa
confessio non adiungitur absolutio sacra-
mentalis [illegible] tertio dicitur quod ipsa non va-
let ad dimissionem mortalium
oblitorum si scilicet sic sunt oblita
quod penitens [illegible] discussione non
recolit se hec esse mortalia tunc
[illegible] confessio generalis quia decreto exigit
ab [illegible] completa [illegible]
illius peccati commissi et non originalis
quia recolit se commisisse mortale
oblitum est tamen quale sit [illegible]
[illegible] generalis et confessio de quo
mortali commisso oblito tamen [illegible]
et requirit dolor de oblivione
et confessio [illegible] quamvis oblitum
est in proposito confitendi [illegible]
recoleret Et non quod sacerdos dicens
illa [illegible] absolvo te [illegible]
sit de forma sacramenti [illegible]
[illegible] illa [illegible] dicitur fiunt
remissione peccatorum [illegible]
[illegible] et dicit [illegible] quod videatur
[illegible] quod [illegible] addi [illegible]
[illegible] antecedentes [illegible]
[illegible] admirationem domini
[illegible] est [illegible] malus [illegible]
ut [illegible] confirmative [illegible]
[illegible] quibus non
[illegible] ministri [illegible] addit
[illegible]
[illegible] ergo quod [illegible]
[illegible] sit [illegible] Christi
absolvo te [illegible]
[illegible]

vel in more [illegible] ad [illegible] quod
tamen non est delictum qualiter
de [illegible] sed [illegible]
[illegible] arbitrio [illegible]
[illegible] sic ad [illegible] non de-
[illegible] si de [illegible] ut [illegible]
de [illegible] et [illegible] dictum
[illegible] tamen [illegible] iterare confessionem
[illegible] quod [illegible]
[illegible] magis doc-
tores dicere confessionem iterandam
dico se tenet ex parte confessoris
alii ex parte confitentis primo et
ex parte confessoris est quod non [illegible]
absolvere propter [illegible]
[illegible] ad superiore [illegible] quod
confessionem remissi audire [illegible] et
ad absolvendum cui superior velit
[illegible] committere [illegible]
aliter [illegible] sunt [illegible]
[illegible] sicut [illegible]
[illegible] sunt [illegible]
[illegible] Secundo est [illegible]
[illegible] ignorans est non [illegible]
[illegible] ligare [illegible]
[illegible] ligare et [illegible]
[illegible] et [illegible] confitendi vel
[illegible] superior
[illegible] tamen iterare
confessionem [illegible]
[illegible] peccatis [illegible]
et [illegible] cognoscere
et [illegible] adhuc [illegible]
[illegible] quod
clavibus [illegible] tamen tenet
se ex parte confitentis [illegible]
[illegible] ut si [illegible] peccatum
mortale [illegible] retinuit vel si
[illegible] voluntate peccandi

ut dicunt doctores quod [illegible]
[illegible] voluntate peccandi [illegible] ad-
huc [illegible] et dicit si [illegible]
[illegible] et [illegible] absti-
neat [illegible] ut [illegible]
et [illegible] si [illegible] dicunt [illegible]
absolvi quod [illegible] peccandi
est [illegible] est de [illegible]
[illegible] contritus non [illegible]
tamen [illegible] peccandi
singula peccata Et ergo absol-
[illegible] sunt [illegible]
[illegible] ei quod [illegible]
[illegible] et [illegible]
[illegible] Quartum tamen est [illegible]
[illegible] ut [illegible]
[illegible] negligens [illegible]
[illegible] ei tamen
[illegible] tamen non teneatur
[illegible] confiteri [illegible] sit
[illegible] quod non teneatur [illegible]
[illegible] aliquis [illegible]
[illegible] et tamen [illegible] confiteri [illegible]
[illegible] alias [illegible]
in purgatorio et [illegible]
[illegible] tamen [illegible]
[illegible] adeundo [illegible]
est quod aut est [illegible] confessio
aut [illegible] peccata [illegible]
memoria [illegible] propter [illegible]
[illegible] tamen iterare
tenetur [illegible] dicit [illegible] et
[illegible] dicunt confessionem iterandam
esse Sed duo alii tamen [illegible]
[illegible] doctores [illegible]
aliud [illegible] dicunt quod [illegible]
iterare confessionem propter peccati obliti re-
cordationem et [illegible] propter [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

gravius peccat contra magistrum
Secundo quanto alicui plura ad actu(?) spe//
cialibus obligationibus tenetur si
transgreditur gravius peccat sicut
penitens quotienscumque peccat obli//
gat se voluntarie adeo peccato
amplius quia sibi est propositum
et penitentia digna et post hanc
astrictus adeo peccamdum eadem
lege quia est innocens si quo transgre//
ditur peccat contra duplicem legem
obligantem adeo transgrediendo
scilicet generalem et specialem ista confirmat//
so facto suadendo quod magis ob//
ligat si sit dei et declarat
precipue ad honorem dei Cum
hac tamen id quod aggravat quo
conscientia magis obligatur cum possit esse
peccatum eius gravius vel saltem
si ita non fuisset penitens
sed semper innocens et tunc peccatum
ipse gravius quam nunc in probato
bonus quia cadens a statu innocencie
gravius peccat quam cadens a sta//
tu penitentie tamen quia magis be//
neficium recipit eadem ita quod pe//
nitentie respectu et conservatur innocens
quia ita tamen hanc penitentiam post peccatum
tunc est quia innocens bonum omni//
sionem cadendi Sed Secundo non
obstante cadens a prima contra peccatum
duabus partibus in propter hoc est quod per//
tet animo peccato tamen secundo vero
peccavit ex gravius peccare
post cadendo ab innocentia post conse//
quendo adequate mensuram
malicie crescente peccato Respondeo
quod semper Secundo quia semper magis
beneficium dei et conservatio innocencie

quod ingressio primi lapso cum maius
beneficium contulit deus cum sicut
quod magdalenam cum similiter gratia
et ornatus in celis et magistri//
dixit in peccatum Quantum ipse ipso quo
est peccavit cumque respergat peccatorem
alterius speciem in innocentem multa tu//
mulare mediata et tunc adaucto
magis bonum ante quia post lapsum
ad eadem peccatum innocens bene constituta
animam innocens alia aggravate et
illa quod gravat primum et gravamen
quod gravat habet nec primum
specie aggravat propter ingratitudinem
Complete innocentem aggravat propter
magistri tamen et innocentem et penitentia contrarie
repugnat sed similiter magis aggravat
tamen alterius innocentem Sed contra ac
capitulo luce 7 xxx mundus fit
simone de duabus debitoribus
quorum cum creditor plus dimisit
et alteri minus est creditorem plus
diliget approbavit responsione dicentis
quod cui plus dimisit vel donat
dicit recte indicasti Sed innocenti
non donat deus hac nunc autem
Secundo multa donat Sed quod donat
post multum alteri quando est actus vo//
luntatis liberalis continet vel per
donare vel dimittere sicut autem
tu dicis dimittit sicut peccata penitenti
tamen quod cui plus donavit
plus tenetur donanti et hoc modo deus
quod deus magis donum dedit innocenti
quam innocens non habet quod sibi
dimittatur et si tunc recipiat
autem quod ita plus tenetur cui plura
donantur vel remittuntur tamen est
comparando duos quorum cuilibet
plura / alii pauciora donat et

hoc non sit collatio beneficium adeo
hic est remittere peccata alicui
et cui deus pauca donat quod
pauca commisit et ad beneficium
conferatur soli magis quod donare
vel remittere plura quod persuasio
ab aliis magis cadere potuisset
et cecidisset nisi preservatus fuisset
a deo et hoc confirmat glossa augustini
illud de eis commissa et non
commissa donata quod non commit//
tet aliquis quod aliquis non posset
committere si deo conservante regi//
tur cui pauca dimittuntur tenetur
plus diligere propter ex causa contrariis//
fructibus sicut alius tenetur diligere
ex alia causa quia non sicut
dimittenda quod fuit per persua//
sionem dei et hoc conspicit similiter
ratione gratitudinis Sed Contra huius
si aliquis ex liberalitate sua
concedit alicui omnia bona sua
ut utatur eis ad libitum alii gradit
aliqua mutuo et post eciam
alii ea recipere dimittit sicut quod
secundo plus diligit deum quod primus quod
magis beneficium accepit et
tamen plura dimittit alii Sed
primus non habet ad plura dimit//
tenda hac erat ex beneficio eius
qui etiam ei liberaliter concessit
Sed contra similiter est vero illa post
cui plus dimittitur plus diligit
dimittentem cum deinde dimit//
tentis prius beneficium contra peccatum
quod ita non tenetur adeo ad//
quod ita Quod prima deum quod beneficium
postea est residuitate peccati
cum aliis peccatis similiter si excede//

liberator egit cum lege gracie
et cum lege gratitudinis et per//
misit per gracias non sunt peccata
quod peccantis gracia contra appetit
nisi delectationem sic inordinate
et vellet sed delectatio contra esse
conexa tunc prohibitio et in
in peccato coniuncta illo peccato in//
obediencia et contemptus et odium
dei et magistri et hinc non quod
peccantis sicut iste actus elicitus
ex vincere ad singula istorum sed
cum pluralitate mixtum ad actum ad//
quod residuum quomodo tamen hec omnia
in credo quod post lapsum est residuitate
peccati cum peccato non abscon//
dit sed peccatum in quo concupisse
primo cum tendit ad innocentem con//
cedo cum quanto est ex parte libidinis
vel inordinatione formalis in peccato
sed quanto est ex parte sui ex presumpcione
sub gratitudinis et contemptus
obligationes peccantis tamen in eius
qualibet adulterii circumstantia
sed magis magis gratis est residendo
alter non vero sed prima Contra
eas gerit bona opera mortifi//
cata per peccatum mortale remi//
niscunt et peccata plus commissa
redeunt cum residuitate dum
respice Aliud articulus tangit du//
bium utrum opera meritoria
vel mortificata in vero peni//
tente reviviscant Respondeo videtur
quod sic in materialibus opera dicuntur
omnia quod producit aprime in te
mortalis et dicuntur mortificata
quoque ex parte peccatum aliquo processit

ß expte impediti exm̄di ppt
impedimt̄ ppt suo effectu sn
sine nō ē in spuali vita redis
seu radicis sit primū vita
naturalis operacionum quarum finis
et effectus ē pduc actionā
vita et dr̄ mortificand bo
na opa meritoria nō sup
venientis pctm̄ morte tollas
gram nō prius existens sine
suo pduc ps̄ ordo mundi ex
cipy aliqd de mortuis dr̄
omo effective sy ex ē ē rumdis
et opa pctī mortua dr̄
fim id adhuc ē ctē rursu
vivens feudum prime
ab opibz mortuis ctē dr̄
opa mortua quare sz ex
carent vita spuali ē ex
radice prima dd gm
gr̄ ex amīt spuar sz
corpy spatas cha͡r et ōis cf
fides sm radice dr̄ mortua
fides ex esses sm opibz mo
rtua ē io ōio ena opa ex
gne bona ut deus etiā
ymac ets f fiant sn radice
meritū nō preduc apris
spual vite et pt dead mds
et vite moribz ē fm ex
tacoin apud aquo prdr
opa sunt ē ptō vn opa
meritoria p pctm mortificata
p ōio opa mortua pcede
pmas remanens pt pars
mota ē ß prima p p ptz poe
augm et pō mortificā dis
ē et h̄it mra gr̄ cū opd

est reddē et mrd fides hors
postulat ut nō grād pancho
destruxit mala pcura cs
remmeret bona mortifica
ex hoc prd nō verit dis
gm bona ad impetrante pla
tant qua hoc ē p pbalis
dans dyd dina expirma
ē ex bona opa pmuudi
enis acceptacōe et ponit ei
ee primo reddidis n̄ eē
mortificō recipient ṗp mortua
culpā morte p͡r prī ysdi
pctm dr̄ mortificata ut pt
mortalitū pmissi mala
ōnd totat extingwit ita ex
or mpe or vivifica nt nold
tate dina mrāns mor ad
vindicam dohr pent
sothy ex expire fry ex alr
tui remanet nt pui in ōio
opetit etia ppr ad impedim
ita hm bona mortua on
acceptacōe dina mortificata
ppr pctm morte remanet
totū nis qd opetit ipl merit
advertat eterna p ōio rema
ret etiā qua dm remanet
ppr privaty et ß ppetue reb
manet pmires ppetue cessat
cāū cessante cūd privi
ma ppr morte pctm grta
ōio redit mrd nis ß opetit
ß ctra prius antiquis
mala ond dimisse ōr nis
ōr ctra remanet ex ōr dey
hz nis vindicandi in illud

qua ita pfecte remisit ex h͡yt
pctm illy ex ōr ctra opetit
ß adimendit rōt est reducti
ad nihilum hoc ano pctm omnī
dimittit n̄ ad nihil deducitur pene
eterne permutan⁹ in ne tā pene
tpal ß mutacōe sc̄a mis
remitti requirat pena illa
ōr ipa solvat mise ut ipa
equalsti et pont remisso
pctō morti mise ut ipa sua
soluta nō nis remanet ppd
exigenda pt alia pena ppto
isto ß propter aliud meritū dig
m vite eterne mis ita
digmtas eternā eterni grunt
fm iusticiā meriti bonū
tpale ē mrey expiat illud
nis quousz eternū bonū
solvat ß illud ōio solutū
eterni dū ē viator ē pme
mat illud nis ß extinctū
pctm morte ex tinc ōio opetit
exactio sm nis ōio ē pt
ple d remunicacōe bonoy
mortificatoy et deredicōe pct
catoy dimissoy nō possit
ß dr̄ antem qd ad ipropria
ē pd est ppr ipsa iustiā
permutente eterni ntpale ibi
ōio ond hic ex phar pts ad
actu sm cont ystom reb
sunt gm̄ ad illa ē aliud

Dubium

dum quid resurgere ppmas
ppr resurgat adequate gram
dr̄ ex redit ex ē pō sthe
tacth hoc et proti ex mo
ep̄ tac sm tho ex fm dissom

subverti alias et mocta admit
dud fq̄z gonar duplicis
ordinis nis p̄re intensiore ut
remissiore qz actū actos ue
dispiud delibace perfectiois
offensa dr̄ ē actus dispo
introducenda gra am esty
pto sm temps ho pectm
ipsd dispont et hā iusticias
isunde ē p̄ ex sm ex homo
magis ut aūy alt et pctm
detestat fm ht grā a͡r ut
hoc ß resurgenti dā ē mis
gz se tm disponit ex dabi
ß aor grā quā fuit ī ay
redit et qūs alm et hu
dabit ß hoc ptid dr̄ hora
dy ix illy xti celi dr̄ ex por
ē opp dices ex resurgat reg
ut hoc fm fe magis fpiat
et dina largitur dispensat
et aliud hic dr̄ ex fm disp
ex malitgaud pctm grm
ad intense ut remisse dat
ß nis cā ut hoc grā dr̄
ets hora ex opa meritū
ō pt remissiore m respectu
ōio admit fm radice ex
fitus pnd ß pony pm radice
mey remissum allanyu qb
similar deredit et nō resurgat
potente mg̃ra hoc nlz
opa prora meritoria rem
nsus tu ōio fuite gm rite
opere pcq ex ex tud ōio ordi
morint ad fide pmd ygn
ß fente addite ipsa ß proty ut
dr̄ ex ōio ē dy hac plura

meritoria in acceptatione diuina re//
suscitata in esse quo prius p//
est reddenda et hec autem gratia
intensiue Alii autem minus merito
debet ... primus augmentande
sibi esse gratia primus licet ... peccator
... resurgat ad equale uel
ad ... gratiam ut dictum est ... per
reminiscentia opera sua meritoria
ad ... gradum equale ad ... per
suas meritoria merita et ad//
que in diuina acceptatione fuerat
reseruata quia ubi sit particula//
... debet illi ... primum
... resurgit ad ... gradum
equale sed ... merito
... sunt ... locus
dicitur quod diuina iusticia reddit ...
opera sua et nullibi dicit
quod reddit ...
... dicitur est quod opera mortificata
acceptationem ad diuinam ...
ut ... resurgat ad gratias
... erant ... opera Credo dicit
... credo quod ... gratia
reddit ... ad ... magnitudinem
ita credo quod ... resurgat ... pro diuina ... meritoria
adhuc aliqua acceptate ... audiui dicit Scotus de ...
ualde ... et ... lapso
... sua ... mihi
admirantur ... esse ... opera
... prima sibi ... spirata quod ... dicit ... ad ... meritorie agendum ...
quod ... principium ... ita ... de illa ... illorum
doctorum Illi tamen tenent oppositum

dicentes quod quia ... pro ...
... tota reddit
gratiam adequata reddit et ...
... ad aliqualem que
semper surgit ad equalem gratiam
et ... resurgit ad ...
... equale quia ... //
... ad ... resurgat
ad ... sed decedit ...
habebit ... Item ... ad
... dicitur quod ipsa ...
... ipsa ... reddit ... cum
pena exigit ... //
... dimitte pro ... fuisse
... pro ... debitum
quod non dicitur ... ad ...
... soluat ... debitum
... prompto ... reddere
... debitum ... soluat ...
... penam dampnacionis ...
... est omnia ... que
dampnatorum ad ...
... pene dampna//
... admirabile quia ...
... peccata ... dimissa et ...
... quantum ad duracionem ...
... quod equale quantum ad
intensionem et ita Item ...
... peccatorum ...
... per ... saluatores peccata
... redeunt ... obligacio ad//
dampnacionem reddit et augmentata
per ... peccatorum
Item ... mortale
... Jacobi ... ad dap//
nacionem quod ... pena
omnium peccatorum mortalium ...
... reddit ... et reddit
... ad ...

est ... ut ... in
peccato mortali ... ex
... ad ...//
... peccatorum et ...
... ad ...
... Item ... quod
... peccatum ... pe//
... peccato mortali
... reddit ...//
... dimissa ... quantum
ad ... quantum ad ...//
... peccato ...
... pena dap//
nacionis debeat ... peccato
mortali etc.

Questio 23a ...
... sit ...
... quod ...
... ipsi//
... illud ...
... fuisse ...
... dicitur ...
... et
... cum ...
... diuina et ...
... et ...//
... cum
... et ...
... corpus
... contrarias
... et ... formas
... mota ...
... et ...
... declaran//
... tota ... de ex//
... contra ... contra
... hominis ... pe//
... ad ...//
... et ...//
... contracta ...
... ad ... debita

... constituere diuina ...//
... finaliter ...//
... dicitur ...
... illud ...
... exterius ... effectu
... interioris ... //
... Subdit ...
... dicitur est ... quod ... est
... exposito ...
... ... //
... exterius ...
... uel ...
... quantum ...
... ita quod ... probabiliter
... de statu
... tamen ...
... intrinsecis
... et ...
... generatur ... diuina
... generatur ex//
... effectus ...
... dicitur ...
... forte
... illis ... //
... sit ...
... et ...//
... sit ... in ...
... alia ... assignare
... contra ... //
... et ...
... medicina
... tamen ...//
diuina ...
... medicina ...
... et ...
... satisfactione ...
... constitutus ...
... ex probabili ...
... infirmitatem//

deinde addit penitens tamen
e tempore huius sacramenti saltem
digne cum sit contritio illud in
sacramento non e remedium ad
amovendum penam eternam quia
adhuc e non baptizatus et prima
et pchar excludunt non uiuentes
hoc puta puerum et non sunt
omnium prime uel saltem non
sunt primam denegalibus et
postea contentes qui cum non
hoc non potest ee penitentes
excludunt et ipsi fictus et
amentes qui habeant pho
lucida intervalla cum hoc ergo
itaque post penitentiam si dicatur
qualitate facte expresse
mat illud nolle ut supra
de baptismo dictum fuit et ecclesie
consistit quod non faciat recedentes
sacramento ipso quia addit medicatis
partibus et ille potens sunt orga
na corporis que portant actus
potentie sequitur venialis
sunt organa per proprium et potentie
motive et sic aliquis ratione corporis
ipsius uel potentie generative sunt orga
na potentie visive sunt duo oculi
potentie auditive due aures potentie
tactive organa sunt potissime
due manus quia tactus potissime
viget in pulpis digitorum potentie
olfactive sunt due nares uel
saltem nasus ad organa olfactus
et talia sunt generantur organa
et ita contendens organum gu
stus e lingua cum non sit tamen
ipse absorbitatum tollendum si
sit extremum super os ipse organum

potentie gustative sit tamen ad
labiis inter illud. Sequitur super
illud lucet. Secundum sibi cum p
uncti cuius lumen et labiis
e ipsum organum motive quantum ad
progressivam quod e prout motu
sit dux contra Item duabus pedibus
tamen organis adiposum mo
tum ordinatum. Alia autem motiva
qua sequitur potentia e lingue
motiva inter illud. Hec ydem
non offendet non possunt e cor
et tamen hec e contra ergo ista
quod ipsum e remedium tamen dux
petrum veniale per lingue re
spectum duo opera ore scilicet gu
stato et loquela sunt in quibus con
tinet scilicet alia generative sunt
quia contra ita quod sunt sit
primo leis, cum quia incorporalis et
ipsum alia incorpore prout
potentie motive scilicet progressive alia
incorpore primo generative potentie
incongrui dicitur ite potentes et no
pelud totum corpus. Huius hoc e quod
hic partem exhibe totalis. Sequitur
quod sit argui sit e in vitiatum
corporali sit pro non dicit ee i
spirituali sicut in vitiatum corporali
tamen quod medicina incabamus
illud totum exhibeatur toti corpori
sicut quod adhibeatur in partibus
cuiusque e radix mali et pluri
dici ee maxima unitur quod
e sanatio spiritualis quod non dicit
adhiberi toti corpori sed partibus
membris sunt principia et radices
peccati venialis talis aut sua dicte

partes que radix et principium operandi
in morte e primo cuius regula secundo
cuius appetitum secundo cuius motum
sine excitati cuius autem regiminis
in morte certum est expressum non in
organis incongrui dicit hora ipsum
Sed sunt tamen appetitus in
vngitur ad lumbos renes et
ipse motus pedes sed quod primum
principium motum actuum e cuius
gignit non in contra quod sit in
organis sensuum e dicitur
sacramenti ut dicit durandus et non
sumatur albis et si alias sunt
mutilatum incongruum aliquibus
ipsum dicit incongrui contra ipsum
quod primo adaptes illas quod
hec contra sed debent alii
non contra sit ut dicit durandus non
videntur sunt ee de contritione extremi
quod tamen appetitiva et motiva
si temporis pendet excitatum actuum
et non aliud non observat alius
vero observat inde quod e adpe
dere non autem quod e ad renes
Et non licet veri sacramenti non per
tinet possunt ipsius naturalia
uerint dicunt in incongrui r s
lotus quod possunt membra ad sacra
mentum autem ipsum percipe voluerit
sacramentalis appetitum ignis
veri libere vellent eadem pul
chra et delectabilia et sacra
auditu desiderant. Sed si lora
oculorum veri macti transfert
tunc oret hec alia forma
uel lect inclinandum inter radi
teretur et oculus inde deli
quisti quia omnes habent oculos

oculorum in te sed quod petrum prout
e in voluntate et ergo dicitur petrus
terris materias secundum actum voluntate
elicitum et non secundum actum imper
atum exterius motus exteriorum
quia voluisset audisse aliquem
vita Quaere an debeat rei aliquo
cum non sit ee ad effectum extolto
et balsamo sit tantum confirmatio
quia confirmatio e ad usum
fidei et in confirmatione tempore
non tamen puritatis confirmatione
pale hoc sed est adde bone forme
quod sacramenta balsamum sed hic
ipsum expressione brevi devotio i
fragrantia quam sequitur pro puri
tatis confirmatione. Sanctificatio autem spiritualis
e certa adhuc ut dicit supra
et gratie non sacra exoria i
ipsum plus baptismus tempore ergo
confirmata specialis que XII tactu
sunt meditissime tamen episcopus
fuit baptizati in ohe terra aqua
confirmavit et incorpore inde de
dicat. Quaere an confirmatio aperte
exprimit confirmationem et communio
non pelud ipsi habita exercitat
si in pluribus partibus confirmet ita
quod si alias attemptet tamen facit
sic si non sacrare attemptet
sine tamen facit defuncto
aut constitui hic habere per id
Deo quo ordinatur probat in se
si audiunt vero determinatio deta
intentione perferente ista pri
mo ad formam hic parti
et cuius similitate sui cum et in
tentione confirmari. Dubitatur aut
debeat esse intentio confirmari

et que similitas noris rationi//
tate sunt expositio fuit non
sup ... sex plc ...
et ibi forma ad hoc parti
e septuplex ad ... principales
conclusiones ut ad oculos et ita
e ... statim contra
et sua ... contra ...
... de ... oculorum ...
... et ... differt
... forte ... aliorum
... ipsa e ...
tia et alie sunt conditionis
... e ...
... debet ...
... d. ... eiusdem//
... ad ... ...
... hoc ...
... destitutis condescendi//
... aliorum ... publicari
... e ... executio
... hec ... deposuit ...
... esse et ...
... et ...
... consecrari ...
... forma ...
...
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conditiones ... ...
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et ordini ... statuta
... religionis ...

tantum ... fuit ...
... fuit ...
... alia ...
1a conditio ...
... etiam ...
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secundum motum nature et tamen
[illegible] durandum et alios quosdam
est quod iteratio per hoc probatur addi/
tis infirmitatibus que contingunt
tamen periculo mortis secundum
eadem infirmitate que est diut/
urna ut ethica ydropisis
quotiens extra infirmitate re/
deduntur ad periculum mortis ex/
terna quia contra hoc [illegible]
in infirmitate alte sanitas
sanitatis statum qui quotiens ite/
rat sed in eadem infirmitate sed
[illegible] post et tamen iteratio
[illegible] hoc hoc contingeret sit
non tamen per prius decessit cum ab
hac vita propinquo quod est ex/
aggravatione infirmitatis quo
statum nunc hoc per tollerari
diu [illegible] aut [illegible] dicitur
Si ergo infirmus in morte
se duxit evadat et si hoc post
[illegible] tamen aliquo hoc ad/
[illegible] morbi tunc quia iterum
[illegible] si iterum
infirmitas [illegible] per
et de sacramento [illegible] iteratur
ad extremam unctionem predictam [illegible]
illud probandum est [illegible] dic/
tum est quod hoc sacramentum a christo
institutum est et quod Jacobus tamen
fuit ipsius promulgator eadem
[illegible] quod est circa sacramentum unitatis
integritatis [illegible]
[illegible] effectus [illegible]
est [illegible] quia hoc [illegible]
[illegible] integritatem [illegible] ple/
nam remissionem [illegible] venialium
ut [illegible] remissum [illegible]
retardant [illegible]

Et hoc si sacerdos [illegible] fecit una
vel duas unctiones [illegible]
partibus [illegible] memoria tunc [illegible]
[illegible] hoc [illegible] iteratio [illegible]
[illegible] infirmi
quia unctio [illegible] iteratur
hoc [illegible] baptismalis
consecrare et [illegible]
[illegible] est sacramentum [illegible]
debet sequentes [illegible]
ad alias [illegible]
et [illegible] non tollit
unitatem sacramenti

Quarta [illegible]
[illegible] sunt [illegible]
[illegible] eadem [illegible] quo
ordo sit ordinatum post sacramentum
quia hoc quia alias [illegible]
sacramenta quia post sacramentum ordinis
fuit [illegible] alia. Tertio quia hic ordo
habet caracterem [illegible]
[illegible] caracteres
[illegible] aut illi [illegible]
[illegible] quia [illegible]
[illegible] simul et [illegible]
[illegible] alius [illegible]
[illegible] quia [illegible]
est [illegible] habet et quia
hoc [illegible] posse [illegible]
[illegible] excellentiam [illegible] ca/
racteribus. Quarto [illegible]
[illegible] fuisse duo ordines
scilicet sacerdotium et dyaconatum quia
[illegible] hoc [illegible]
[illegible] fuisse tunc [illegible]
[illegible] quia [illegible]
[illegible] ordinis [illegible]
quia [illegible] sacramento sit [illegible]

[illegible] a christo. Dionisius v°
ecclesiastice hierarchie ponit solum
tres ordines scilicet episcopatum
sacerdotium et dyaconatum ut
dyonisius [illegible] po/
nit episcopatum esse ordinem [illegible]
est aliquis [illegible] quare
plures quam septem. Quidam de/
cem habent [illegible]
[illegible] clericos. Sexto prima ton/
sura [illegible] sacramentum quia signum
sacre rei et quia habentes ipsam
gaudent clericali privilegio
quod [illegible]
[illegible] Secundo [illegible]
quod [illegible] sacramentum ordinis sic dif/
finitur: est potestas spiritualis
ad aliquem effectum exequendum
in ecclesia. [illegible]
quod [illegible] Tertio [illegible] quia
[illegible] episcopatus sit ordo
quod est [illegible]
episcopatus [illegible] ad aliquos actus
[illegible] excercendi puta
ad [illegible] confirmandi et conferendi
ordines [illegible] et [illegible] potestas
[illegible] exercendi [illegible] et sunt
exercendi quia si non [illegible]
[illegible]
Quarto [illegible] quod subdiaconatus
non sit [illegible] ordo [illegible]
quod est [illegible]
quia nullam potestatem [illegible]
potestate spirituali [illegible]
ut subdyaconus quia et si posset
[illegible] quod non [illegible] laycus
[illegible] tamen si laycus at/
temptaret ipse faceret ut si

laycus publice attemptaret legere
epistolam ipse vere legeret sicut et
subdiaconus. Quinto [illegible]
[illegible] alia potestas spiritualis [illegible]
aliquem effectum [illegible] po/
terat [illegible] sicut subdyaconus
[illegible] et [illegible] potuit
illud si non [illegible]
potuit [illegible] spiritualis potestas
et tamen ordo [illegible]
[illegible] potestas clavium
[illegible] ita quod si [illegible]
[illegible] si ipse at/
temptaret [illegible]
[illegible] et si absolvit ipse [illegible]
[illegible] et [illegible]
et [illegible] absolutionem [illegible]
si nova potestas. Sexto quia sacer/
dotium sit duo ordines quia sacerdoti
competit duplex potestas scilicet consecrandi
eukaristiam et absolvendi [illegible]
quia hoc [illegible] potestas [illegible]
[illegible] fuisse prior [illegible]
[illegible]
[illegible]
[illegible] precedentis diffinitio
bona. Septimo Octavo quod
ordo [illegible] desinit
[illegible]
ordo est [illegible]
quia [illegible] fluentis
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] ordinata [illegible] alia [illegible]
declarat quod hec non [illegible] sit
ordo [illegible]
[illegible] personarum [illegible]

in alia politia contingit dis-
positio illius politie et quo
ipsa dicitur ordinata. Sed alius
gradus preeminens certe politi-
ca dicitur ordo et persona in gradu
preeminenti dicitur habere ordinem proprie
dicitur habere gradum quod continue
concipitur et quod per consequens
secundum eius dicitur habere gradum
habet eminentiam que est pol-
litica ordinata contingit esse
ordo secundum dictam acceptionem
omnis secundum quam tota ecclesia
dicitur ordinata illa eminentia
dispositiva propter cuius amplius
communicationem in proximo loco. Secundo modo
preeminentia excellente eminentia
dicitur habere ordinem et licet ideo duo
sacerdotes ponantur secundum omnino quod
ubi est ordo in politia ibi
est gradus eminens et ita ordo
secundo modo haec [illegible] et ideo
omnis [illegible] secundum [illegible] ordo
autem pro [illegible] loco dicitur ordine
autem [illegible] et cum primo
Alterius gradus eminens materia
dicitur in ordine ad actum circa
eminente ordo sicut [illegible] sicut
potestas exequendi istum actum [illegible]
dixit precedens oppositum quod
gradus disponat dignitatem ad
ad [illegible] ad dicte actum illum
et ordo [illegible] loco dicitur
ordine posset dici gradus
eminens materia disponens
ad actum aliquem preeminente
[illegible] dicitur quod [illegible] actus eminentes
materia propter actus re-
spicientes [illegible] pro [illegible]

dici quod est gradus disponens ad
aliquem actum [illegible] secundo
quod alius tenet sacerdotium esse
summum ordinem et isti negant
episcopatum esse ordinem et quod sacer-
dotium est gradus ad operationem
cuius tamen ad actum excellen-
tiorem conveniente illi gradui
[illegible] omnium ministrorum ordi-
num dicit accipi in ordine eorum
ad ipsum et quod secundum istos est
ordo quod est gradus preeminens
in ecclesia disponens dignum
ad aliquem actum ad operationem
cuius vel ad dispositionem cuius
pertinente alius dicunt episcopatum
esse ordinem. eo quod sibi competit
dici gradus in ecclesia quod competit
sacerdoti et isti diffinitionem ordinis
sunt [illegible] [illegible] [illegible]
non restringunt sic quod disponat
ad actum pertinentem ad eukaristiam
dicunt similiter quod ordo est gradus
preeminens in ecclesia disponens
ad aliquem actum [illegible] excel-
lentem [illegible] confirmare et ordinare
conferre quod sunt actus episcopi
sunt actus [illegible] et etiam
[illegible] [illegible] ysidori et dionisii
et canones allegatos a pluribus
Confirmat [illegible] quod episcopi [illegible]
episcopis est convenit [illegible] potestas autem
illa est ordinis et habet [illegible]
[illegible] aut [illegible] et [illegible]
posset auferri a superiore [illegible]
[illegible] [illegible] quod [illegible] [illegible]
multo [illegible] consecratione episcopi
[illegible] potest auferri [illegible]

consecratio quod [illegible] [illegible]
[illegible] est [illegible] quod [illegible] [illegible]
adhuc [illegible] [illegible] quando
[illegible] dicunt quod episcopatus [illegible]
bilior sacerdotio quamvis [illegible]
quod gradus [illegible] dici eminens [illegible]
nobilitate actus quem respicit
[illegible] [illegible] [illegible] actum quem re-
spicit illa dispositio [illegible]
[illegible] [illegible] alium competunt
[illegible] actus et alium [illegible]
Sed nobilior [illegible] [illegible] potest
[illegible] quod est nobilior actus
quod [illegible] [illegible] alius qui
[illegible] [illegible] inferiori
[illegible] competit [illegible] ad actus
illi [illegible] convenit actus nobilior
quod [illegible] actum [illegible]
[illegible] [illegible] quod gradus
quod respicit [illegible] actum sit
simpliciter nobilior [illegible] quod re-
spicit actum nobiliorem et episcopatus
esset ordo nobilior alius
dicunt quod licet episcopatus sit ordo
[illegible] [illegible] a sacerdotio [illegible]
[illegible] [illegible] addit episcopatus super sacer-
dotium [illegible] [illegible] excellentia [illegible]
[illegible] sacerdotium quod [illegible] quod
[illegible] [illegible] [illegible] [illegible]
[illegible] nobiles actus [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] quod
ordo [illegible] [illegible]
[illegible] [illegible] quod [illegible] ordinem
[illegible] [illegible] [illegible] addit
[illegible] ad actus [illegible] [illegible]
non includit [illegible] quod est [illegible]
sed includit [illegible] ordinem ad
actum [illegible] [illegible] [illegible]

alius autem adhuc aliter [illegible]
[illegible] [illegible] [illegible] quia [illegible]
[illegible] episcopatum esse ordinem [illegible]
[illegible] et [illegible] ordine [illegible]
orem sacerdotio ut [illegible]
[illegible] et [illegible] ordine inferiorem
sacerdotio ut [illegible] [illegible]
[illegible] est [illegible] doctores
theologi et [illegible] [illegible] [illegible] quod
[illegible] [illegible] [illegible] ordinum [illegible]
dignitatem et [illegible] [illegible]
quod [illegible] [illegible] [illegible] erat
episcopus et presbiter [illegible] ad
philippenses 3° [illegible] textu [illegible]
episcopis et diaconibus [illegible] [illegible]
episcopos [illegible] presbiteros [illegible]
[illegible] [illegible] ut est philippis [illegible] fuit
[illegible] [illegible] episcopi et [illegible] ad
titum [illegible] ad thymotheum [illegible] ubi
paulus [illegible] [illegible] presbiterum [illegible] est
episcopus [illegible] [illegible] [illegible] [illegible] vel
[illegible] sunt [illegible] [illegible]
[illegible] [illegible] episcopi [illegible] [illegible]
[illegible] [illegible] ordinat [illegible] [illegible]
ordinatione sacerdotali [illegible]
[illegible] dixit [illegible] hac [illegible]
[illegible] [illegible] et [illegible]
[illegible] dixit accipite [illegible] [illegible]
[illegible] [illegible] accipiunt ordinem [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
3° notabilis dicitur quod est gradus
preeminens in ecclesia disponens
dignum ad aliquem actum
consecrationem vel dispensationem
cuius pertinente et accipiendo
[illegible] [illegible] [illegible] [illegible] [illegible]
nobilissimum [illegible] [illegible]
est consecratio cuius et [illegible]

[illegible] [illegible]

exercitium principaliter attendi ordinum
distinctio circa quod omnium est [illegible]
illud sit dignissimum sacra-
mentum conficere solum effective gratia
sub corpore realiter christum deum
et hominem sunt gratiam gratum
merito autem actus sacer-
dotum hic efficaciam et vigorem
est quod patet quia consecratio est in
sit mediator inter christum et
hominem est ad faciendum omnino
apostoli et christo pro capite hac
ad maxime sit perfectio euk-
aristie ministerii et ecclesie et omnibus
sumunt [illegible] quod etiam dicitur perfectio
communis et secundum quod etiam tertium
mediatum vel immediatum at-
tingit confici eukaristie est alter cu-
ius proximum mecum Secunda conclusio
tamen ipsa est ordo sacerdotalis
sacerdotio eukaristie deputatum quam
quia omnis ipsi ad christum pertinet
suum eukaristie sit dum actu sed
consecrati consecratorum et prepara-
rationem et ad plenum sunt puri
consecratorum definiunt sex ordines
ut dicit Durandus scilicet acolitarum
subdiaconorum diaconorum et sacer-
dotum sed durissime quia acco-
litus hic oraculum consecrationis prepara-
tur et versus cum sacerdos Subdiaconus
hic eandem circa dispositionem //
vasis sacris magis sit consecratio
dyaconus hic eadem offerre sa-
cerdoti ad consecrationem et hic sanguinem
sanguinis consecrationis dispensan-
tiae sacerdotes autem hic ipsam magis
consecrare Et ipsi preparatione //

definiunt alii tres ordines duo
definiunt ad commouendum ut ho-
stiarius est hic plebis malos
homines et exorcista demones
secundo ad preparationem horum definiunt
bonam dispositionem ostendendo quo
ad cognitionem veri et dilec-
tionem boni quod fit legendo
prophetias et hoc est officium lectoris
et hic habetur circa ordinum et
officia Ex quo patet quod non est
ipsius actus dyaconi legere ewan-
gelium subdyaconi legere epistolam
sed sunt remoti et circa ipsi
actus circa Sed perfectissimi et
proprii actus illorum ordinum sunt
quod hic circa circa eukaristiam
consecrandam ut offerendam ut
sanguinem dispensandam ut
dictum est Secunda autem sunt
secundum ordinem et omnino quia sacer-
dotis ordinatur ad corpus christi
verum dispensandum ad utilitatem
corporis christi mistici unde in sa-
cerdotio est status in quo est summa
potestas quia in eo generatur potestas conficiendi
corpus christi verum et corpus christi misticum
Sic autem ordo hic ordinem [illegible]
predictis sunt conferendum Durandus
post Quidam vero ministrat conficiendo
corpus christi verum et hic sunt sacer-
dotes [illegible] ut subdyaconus
qui ministrat cantando hostiam apostoli
et dyaconus ministrat corpus sacerdoti
offerendo hoc est proprie officium
eorum secundum ysidorum Unde dyaconus
dicitur quasi minister et subdyaconus est

submister Sed alii sunt submister
ministrantes qui sunt circa cor-
pus misticum preparando ad hoc
ut possit pervenire ad verum cor-
pus digne percipiendum et hoc
fit per eos admittendo ad //
bonum sacerdotum et hic est hostia-
rius Secundo prebendo dominum
quod est lectoris tertio prestando auxi-
lium quod est exorcistarum quarto
ostendendo bonum quod est acolitorum
et residencie sicut acolitorum
ad quos pertinet ut lucat lux
coram coram hominibus ut videat

Tertia conclusio psalmistatus et ton-
sura prima non est ordo proprie
sacramentum ca. de ordine dilectio
patet de psalmistatu quia actus
non ordinis spectat ad proprium
sacramentum psalmos ad cantus per-
tinet ad totum chorum etiam quia or-
do non conficitur sub aliqua con-
secratione sed omnis ordo sit sacra
psalmistatus autem sola missione
presbiteri suscipit et est solum offi-
cium non ordo quo committitur ca-
non 23 d. psalmista clericus etiam
sine autem nova officium sacer-
dotum ministri et hic
bona dicitur psalmistatus sit
officium annexum ordini sed
ordinum tonsuratus et est prepo-
sita et cantor ut in dictis allegata
patet non est solus psalmos le-
gere et cantare sed etiam alios fratres
ammonens ut sciret et audiendum
verba excitent ad dei laudem
et ad eundem lectoris et ut in

efficiamur tedio inauditum //
est et ergo quo ad hoc quod est
ad laudem dei non id sit omnium
fidelium et quia similis non est
ad hoc ordine deputatus et quo
ad hoc quod excitet alios ad audi-
endum et percipiendum perfectus cor
qui legit etiam est officium
annexum ordinum tonsuratus sic ergo
patet quod ipse circa ordinem
non dicitur ordo deputatus
sed largius extendatur non or-
dinis ad officium et annexum or-
dinis per ipsius est ordo et accipi-
unt ordinem rempere quam
ordine vocatur Sed de prima
tonsura patet quia licet sit
signum sacre rei non est in signum
practicum efficax rei sacre
sacramentum et ideo non est sacra-
mentum sacri non vero [illegible] //
privilegio clericali sed ipsi
utuntur privilegio clericali quia
etiam layci quarum coniugati
gaudent privilegio clericali
et potest legislator id dedisse
principi vel alicui persone layco
et id privilegium clericale non est
proprium ordinato hunc tamen olim
tenet tonsure et tamen clericos
d. 21 cleros cum glosatores
quia ipsius sit primus ordo clericorum //
sit prima tonsura Quarta conclusio
licet etiam solum omnes ordines sit
sacri tamen anthonomatice tamen
solum tres dicuntur sacri patet
quia subdyaconatus dyaconatus et sacerdo-
tium sunt proximis actus circa

2a conclusio

4ta conclusio

ministerium consecrationis corporis christi
Habet etiam circa vasa tangenda
et mundanda altaris cum preparacione
corporis preparatum sit presbytero offerre
tamen tractare. Et ideo est con-
gruentia huius quod his ordinibus
est annexa quod eis redditur sa-
cris nullus autem hereticus dominus(?)
muneribus et ideo etiam convenien-
ter dicitur quod licet solum magnum et
generaliter loquendo tamen specialiter competit
ordines sed illi possunt quod spectat
ad ipsum eucharistie sacramentum est
immediata materia (?) eciam vel in
quod accipiunt hoc ordine generaliter
sed potest extendit per ad ornatum
sacramentorum ecclesie dicitur et ad offi-
cia et dignitates ecclesiasticas
potest sed ordo est gradus perti-
nens immediate dispositionis debite
ad aliquem actum pertinentem
immediate divine quia per immediate
complexione sunt per ordines
angelorum ita potest etiam per ecclesiam
etiam militantem sed quod ordo
episcoporum repletus est in recte im-
mediato potest sed etiam communis
notat hic certum exempla ad
dominacionem sacramentorum de his gradibus
ecclesie est potest per hoc cognoscere
quo gradu notatur est professione
in officio est quiddam katholicus
de sepultura aliis sed eorum
dicitur et Clericos et potest postea
et tonsuratis dicitur hostiarii
autem deinde lector exorcista
accolitus subdyaconus dyaconus sacerdos
episcopus item est pertinencia per
unam dyeresim archiepiscopus

si princeps episcoporum unus est per-
tinencia vicarius primus
metropolitanus qui et primas
dicitur unusquisque est pertinencia per
prelatos unius regni patriarcha
dicitur princeps primus unusquisque est
pertinencia dicitur huius. Tamen
tamen certum non ordo sed ordinatio
specialis est quod sacerdotii quod vero
solum est signum semper licet ex-
terius signis effectus interior
est ut dictum fuit et patet de
baptismo qui est ablucio extra
in corpore percipit et sed interior
autem et aliud semper licet ablucionem
ante aspectu sed sacramentum principaliter
ablucio notat quemadmodum principium
Sed ordo sive gradus existentis
inmediata ut sit hoc est semper licet
signum in sed quod ordinato sit
ipsum sacramentum potest impingendo
quod ordo est signaculum quoddam
ecclesie quo spirituali potestas et of-
ficium traditur ordinato ubi
accipit signaculum pro quo ex-
terius geritur semper et cui
potest ordinare per ordinatione quod
subuclamento verum spiritualiter
confertur consequuntur actum
sacramentorum et similiter singulis gradibus
dispergunt ut digne ipsos
actus exerceat. Et dicitur ordi-
natum sive Secundum potest esse
in spiritualiter actus angelicum esse
pertinente cum sit aliquod
ministerium circa eucharistie ex-
hibendum secundum ministrio ordo

nec tercia via presentem sed
in dextera manentem conside-
rando his gradus aliquo signo
visibili continue exprimitur
dicitur effectus signatur quomodo
eminente qua ordinatus digne
illud ministerium exerceat
et similiter item etiam ordinantur
possent sacramentum accipi recte ipsos
ordinis per ordinationem ut
ordinatio cum sacerdote constituto
congruum esse per
pertinente dispositionis habitu
ad ministrandum eucharistie sacramenta ab
ipso circa via ad intentione
debita presentem. Et consecratio
ydonem est episcopus potest in sacris
ordinibus vero sacris aut aliquem
ex commissione aliud privilegiati
ut abbates. Ut in landolfi
quod recte abbates faciunt sacram in-
hac autem episcopos ut dictum fuit
in confirmacione. Et similiter
dicta cum probabile quod dicendum
dicendum fuit duas formas pri-
mas in quantum alia consecrationis
potestatem conferendi eucharistie ut alias potestatem
absolvendi et prima et forma
tangitur dicitur cum tamen duo sunt
in speciali forme forme tamen
dicto talis et potestate in
hostia accipe potestatem celebrandi
missam ut de forme impo-
sito manus episcopi per accipiunt tamen
de spiritum sanctum ut sit ipsius
confert agit primo episcopus sed
christo quod ut dictum est potest confert
potestatem potestatem consecrandi et preter

absolvendi et sacerdotum
est cum gradus complectens duas
potestates sed consecrandi et absol-
vendi. Ideo recte primo locis ad presbiterium
quod ut constat valde immedia-
potest sacramenta immediata quod hic aliquis
communicatur sed dicitur recte tamen perfecte
ad sensum item adeo quod potest dici
quod tamen in sub alia ex tunc
in tantum non conveniencius conuit(?)
signando etiam sacramenta singulis
quibus recte tamen presbiterium duodecim
de consecrata ante circa possido
cum ultra diminuendo non
multi diminuere sacerdoti sacramenta
ordo ut ordinatio etiam contra
tertiam et tamen dicitur commu-
sacerdotium potest tamen diminui in speciali
contenta presbitero ut in sacerdotium
dyaconum. Item sed si ordo non
sunt misse sacramentales sed consecrationis ali-
ter etiam et ad dictum vel adiuvandum
quod si karacter est una quam
spiritualis aut superaddita tamen similiter
dictum thomam unusquisque ordo
imprimitur karacter et ex hoc sequitur
ordinem ordinatis constitutum semper
perfecte tamen adeo quod ordina-
to ad sacerdotium dispensationem
et non similiter ipsa una karacter
sed secundum distinctionem aliquibus
tertii libri et unde et libri. Quia
ordinibus karacter imprimitur et
karacter semper manet inordinato
quod potest ex si degradaretur et
post regulariter ipse iuncta
ordinaretur. Si autem karacter

ordinatio

est solum circa homines ita quod sicut est ceremoniale spirituale ordinum institutione solum personis est tunc itaque constat cuilibet ordini imprimi karacterem in quo homo ordinatus ut ordinatus sit ita ordinatus aliquid ordinatur ut proprium actum ceremoniale ordinatus deputatur ad aliquem actum qui est sacer et hic ut [illegible] est ita quod est ut exclaratur quod sit ad cultum sacrum et isti karacteres sunt diversi secundum diversos actibus ad quos disponunt et exercere ceremonialium quem imprimunt. Ad secundum dico quod cum primitiva ecclesia erat pauci credentes et ideo pauci ministri sufficiebant ad dispensandum ecclesie [illegible] quod non oportuit tunc ministros imprimi insignitos gradibus postea multiplicata fide et crescente devotione oportuit ad cultum [illegible] tunc fuit [illegible] multos ministros ad singularia spiritualia ad cultum pertinentia et ideo tunc eos etiam imprimit [illegible] donum spirituali sacerdotis [illegible] ordines quorum omnes dicit in [illegible] quod [illegible] actus singulares ordinum exercuit in se ipso et quos antiquitus prefigurabat in quibusdam gradibus [illegible] eius in lege Moysi sicut per ornetur ab antiquo institui [illegible] cum multitudinem omnium fidelium collatum sunt ministris quibus non oportuit [illegible] sunt etiam eorum ministerium

h est quod cum [illegible] per [illegible] constituit ministri insignit ordinibus quod et si cum multi [illegible] sit multitudo fidelium est in dimi[illegible] devotionis [illegible] unde multi [illegible] [illegible] et ideo ita ecclesia dispensanda [illegible] oportet tot ministros fore. Ad argumentum apostoli et [illegible] quod [illegible] [illegible] ordine exponunt eos [illegible] perfecti [illegible] ad ultimum [illegible] tonsura [illegible]

Quarta [illegible] dubium est utrum pena canonica impediat a susceptione et collatione ordinis quod sic [illegible] ut videtur si attemptat conferre constat quod apostoli [illegible] ut videtur si attemptat ordinare et facere quod facit etiam ordinatus et [illegible] quod suscepit et constituit ordinatus ordinat [illegible] apostoli et [illegible] quod [illegible] [illegible] expedit exercitium actus [illegible] [illegible] impediunt exercitium actus [illegible] [illegible] Contra [illegible] simoniace [illegible] et post [illegible] susceptionem ut collationem [illegible] [illegible] etiam per [illegible] potestate conferendi ordines ut patet quod [illegible] [illegible] per [illegible] et aliqua pena canonica est inflicta [illegible] quod [illegible] possit conferre ordines etiam ille gittimat [illegible] personas [illegible] ita quod si attemptet non [illegible]

magis per [illegible] illegittimum ad actum spiritualem ita quod si attemptet [illegible] fuerit ut [illegible] illegittimare [illegible] magis [illegible] sub [illegible] quod sub deunte [illegible] quod sub deunte [illegible] et [illegible] [illegible] ordinatio [illegible] dignitates [illegible] et [illegible] videtur [illegible] posita [illegible] ut [illegible] [illegible] et de lege [illegible] et [illegible] per [illegible]

Nota quod pena canonica est pena inflicta secundum canones prohibens ut arcens ab aliquo actu [illegible] quod alias liceret sunt [illegible] scilicet depositio ut degradatio [illegible] [illegible] [illegible] et suspensio. Depositio est amotio a statu clericali et si sit amotio ab omni statu clericali tunc idem est quod degradatio. Si autem tantum sit depositio ad [illegible] gradu [illegible] alio gradu sit degradatus [illegible] sacerdotii [illegible] in gradu clericali tunc degradatio est quedam depositio ut pena privat [illegible] complete de portis [illegible] depositio non tollit caracterem ordinis nec ordines suscepti sed tollit licentiam exercendi actum ordinis [illegible] etiam privilegium quod competit ordinatis. Unde tales traduntur curie seculari ita quod [illegible] ad actus [illegible] et tutelam personarum [illegible] ad forum ille totaliter excludi [illegible] personam. Secunda pena est infamia que est status lese dignitatis [illegible] ad [illegible] sit [illegible] status ille [illegible] dignitatis quantum

ad vitam et mores. [illegible] pena est [illegible] que est inhabilitas ad recipiendum et suscipiendum ordinem. Ista incurritur ex quibusdam [illegible] et ex quibusdam non [illegible] et ex quibusdam [illegible] sunt [illegible] et quedam non. Ex criminibus [illegible] incurritur pertinentibus ad ordines ut actus [illegible] [illegible] [illegible] simonia in ordine. Tertium [illegible] in ordine non suscepto [illegible] [illegible] et non [illegible] penas ecclesiasticas. [illegible] [illegible] [illegible] non est crimina puta [illegible] et illegittimum [illegible] et turpe et enorme mutilatione sed in [illegible] [illegible] [illegible] quod quedam sunt cum culpa quedam sine culpa scilicet homicidium et bigamia [illegible] homicidio [illegible] mutilatio [illegible] alterius hominis. Quarta pena est [illegible] [illegible] pena est [illegible] [illegible] artatio a [illegible] actibus [illegible] ut ab [illegible] talibus. Sexta est suspensio que est prohibitio ab aliquo alias [illegible] et hoc ad tempus et [illegible] [illegible] ista pena ab aliis. [illegible] est quedam suspensio ab officio quedam a beneficio quedam ab utroque [illegible] [illegible] quod ultime [illegible] quinque pene non prohibent collationem ut susceptionem ordinum [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] in istis penis [illegible] [illegible] [illegible] suscipientis et [illegible] et alia [illegible] hinc unde [illegible]

[illegible]

magis est desiderabile bonum honestatis
moralis patet quia procreare prolem
non est finis ultimus sed aliquid
ordinatum vel ordinabile ad
finem ultimum patet ergo quod ho-
mo ordinans ad finem ultimum
vel non recte et tunc erit malus
moraliter et non est desiderabile bonum
moraliter patet ergo recte ordinans
ad finem ultimum id est ad felicitatem
naturalis recte [illegible] et sic
Sed quere potest esse felicitatem quibus
felicitatem [illegible] et per se actus
ut sit verus et moraliter bonus
dico quod prima est [illegible]
finis patet est in moralibus velle
sed velle procreare prolem religi-
ose educandam ad ampliandum
cultum divinum patet id primo quia
perfecta operatio humana est finis
habens primo et per se ad finem ultimum
dicitur alia ordinata ad finem
finem dicitur quia bene velle prolem
secundo etiam excedit quia qui habet
dicitur se diligere perfectum [illegible]
se secundum se ipsum et eadem bonum
sed qui habet dicitur diligere se ad
honestam dispositionem et cultum
cultum [illegible] et proximum et maxime
prolem suam cui spectat te con-
sic [illegible] sed non directe
bonum plus tunc dicitur ipsa proles
sed species et desiderium quod proles
quia ut religiose educare et in
formet Secunda conclusio est
ut actus sit delectabilis per naturam
maris sed et femine sit conclusio
quia includit [illegible] quod
est procreare prolem Sed delectabilis

divino et felicitatem expectare
eius [illegible] contra [illegible]
est tunc bonum plus quod est finis
sed intentus tunc bonum femine
et tunc bonum [illegible]
quia proles non religiose educata
expectare primo quia non [illegible]
[illegible] [illegible] pre plus salute
quod et ita non erit felicitas
pli debitam imponere disciplinam
ut proles patri debitam reverentiam et
timorem filialem propter quod timore
filius magis obedit patri et magis
alicui disciplinam recipit [illegible]
alio [illegible] per quod bonum femi-
ne consistit [illegible] forma ad
bepone principalem per naturam fa-
milie alias erit totum vagum
ut aliquem per ne diligentiam ad
[illegible] ita omnia procreanda
et conservanda sunt mutuo [illegible]
tum quia amicitia ut plurimum
est ex delectatione principaliter
gradu [illegible] non erit principalis
recta et [illegible] erit in omni
[illegible] ita recte respondit [illegible]
[illegible] secundo polli [illegible]
statum [illegible] lapse [illegible] melior
et ita [illegible] ipse ordinat et post
statum [illegible] non [illegible]
[illegible] [illegible] mansit [illegible]
est [illegible] potest excedit
[illegible] [illegible] ad gen[esis] 20
dicitur et [illegible] non [illegible]
et XII idem dixit [illegible]
[illegible] [illegible] ha-
beat [illegible] [illegible] [illegible]
[illegible] est quod [illegible]

[illegible] [illegible] finem [illegible] in-
dissolubili obligatione patet ex p-
[illegible] quia delectatione ad [illegible]
[illegible] et [illegible] [illegible]
ad debitam plus educationem et
[illegible] femine et [illegible] et
[illegible] magis [illegible] [illegible]
adhesio delectatur [illegible]
[illegible] non aut [illegible] ad-
herent [illegible] [illegible]
et displicentias [illegible] in
[illegible] adhesione erit [illegible]
mutuo indissolubili [illegible] obli-
gati et [illegible] 1a [illegible]
[illegible] omnino actu [illegible]
[illegible] [illegible] evidenter [illegible]
[illegible] quod maris et femine sit
obligatio [illegible] finem et ho-
nestum [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] obligatio sit [illegible]
[illegible] quia dictum est [illegible]
[illegible] de lege [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] est de lege [illegible]
evidenter [illegible] [illegible]
et [illegible] et [illegible] est maris et
femine obligatio ad finem [illegible]
dictum [illegible] [illegible] [illegible]
et alii doctores [illegible]
[illegible] demonstrare quod sit de
lege [illegible] delectatio [illegible]
maris et [illegible] in-
dissolubili [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
Secunda conclusio obligationem [illegible]
indissolubilem expedit ex actu
voluntatis [illegible] obligatarum

[illegible] quia [illegible] ut ex
compositione legislatoris [illegible]
voluntas [illegible] [illegible]
et [illegible] [illegible] quia
[illegible] obligatio [illegible] indis-
solubilis expedit [illegible] quo
[illegible] [illegible] indissolubili [illegible]
sed [illegible] legislator [illegible]
[illegible] [illegible] [illegible] placere et
[illegible] et ita [illegible] [illegible]
[illegible] [illegible] [illegible] quia [illegible]
[illegible] 20 q 3 [illegible] [illegible]
quis [illegible] [illegible] perfecto [illegible] di-
ligit quod aut non diligit fa-
cile contempnit Tertia [illegible]
et [illegible] [illegible] [illegible] tem-
pore [illegible] [illegible] ad
[illegible] prolem [illegible] educandam
honestam est et hac [illegible]
[illegible] donator [illegible] contractus
[illegible] [illegible] voluntas
et [illegible] respicit omnia actus
voluntatis [illegible] [illegible]
[illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] palam
[illegible] signa [illegible] [illegible]
[illegible] [illegible] de actu voluntatis [illegible]
Si ergo [illegible] expedit [illegible]
[illegible] obligatio [illegible] voluntates
et [illegible] [illegible] [illegible] expe-
dit [illegible] contractu [illegible]
ita obligatio [illegible] non
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] finem [illegible] [illegible]
[illegible] [illegible] non sufficit
[illegible] [illegible] voluntas [illegible]
quia [illegible] fuit [illegible] et desinit

esse dominum et fecit aliud dominum
et per quod id quod alius acciperet
mortem alius sufferret cuiuspiam
actio voluntatis libere sufferentis
et hoc per pro aliquo extrinseco e
nidenti ma[illegible] habere ro[illegible]
predicti matrimonii [illegible] datoz
mutuo eidem inpsum et [illegible]
probari conyugium e p[illegible] ostendit ob
ligaret se huiusmodi obligatione salis
indissolubili [illegible] adhuc esset
adque [illegible] ut pro lex ne
ut pro lex posita [illegible]
ora [illegible] et si obliget
indissolubili [illegible] predicti
[illegible] contracto [illegible] lex
ne evidentissime [illegible] dicta
illud autem quod [illegible] de lege ne
[illegible] manifestum
[illegible] expedit [illegible] precepti a lege
divina [illegible]
obligaret preceptum legis [illegible]
ne [illegible] puta preceptum [illegible]
[illegible] expedit [illegible]
preceptum divini [illegible] obediunt
[illegible] legi [illegible] quod deus [illegible]
[illegible] et [illegible]
[illegible]
[illegible] preceptum divinum [illegible]
[illegible] deus dixit [illegible]
[illegible]
[illegible] et aliud [illegible]
[illegible] actio istud et [illegible]
[illegible]
[illegible] expedit [illegible]
[illegible] esset [illegible]
et [illegible] si essent homines [illegible]
[illegible] precepto [illegible]
[illegible]
[illegible] et [illegible]
[illegible] precepto

de contrahendo [illegible] 3° et [illegible]
[illegible] preceptum [illegible] expedit [illegible]
semper et [illegible] indissolubile
[illegible] legi [illegible]
et [illegible] preceptum
[illegible] contractu
[illegible] contractus [illegible]
[illegible] conyugium [illegible]
[illegible] predicto [illegible]
[illegible]
[illegible] adeo institutum
[illegible]
[illegible] expedit [illegible]
[illegible] conyugium dictum est
[illegible] obligatum
[illegible] difficultas
[illegible] honestatem [illegible]
[illegible] conyugium [illegible]
[illegible] contractu [illegible]
aliud [illegible]
[illegible]
[illegible] institutum [illegible]
[illegible] institutum [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] legis [illegible]
[illegible] institutum [illegible]
[illegible] illud
[illegible] institutum [illegible]
[illegible]
[illegible] contractum

[illegible] contractu [illegible]
[illegible]
[illegible]
[illegible] conyugium
[illegible] de heretica [illegible]
[illegible]
[illegible]
[illegible]
[illegible] institutum
[illegible]
[illegible]
[illegible]
[illegible]
contractum [illegible] et [illegible]
[illegible] institutum aliud [illegible]
[illegible] accipere [illegible]
[illegible] accipe [illegible] addit
[illegible] deus [illegible]
et [illegible] intelligeret [illegible]
[illegible] contractum [illegible]
[illegible] institutum
[illegible] contractum
[illegible]
forma [illegible]
[illegible] adeo [illegible]
efficax [illegible]
[illegible] deus [illegible] institutum
ita [illegible] ut sit
signum efficax [illegible]
[illegible]
contractum [illegible]
[illegible] illud [illegible]
[illegible] defectum [illegible]
[illegible] contractum et si sit [illegible]
[illegible] accipio te
[illegible] accipio te [illegible]
[illegible] equivalentia ut [illegible]
te [illegible]

vel reputo te [illegible]
[illegible]
[illegible]
[illegible]
[illegible] indifferens [illegible]
[illegible] consensum et [illegible]
[illegible]
[illegible]
[illegible] contractu
[illegible] contractum
[illegible]
[illegible] contractu
[illegible] consensum experimenta [illegible]
[illegible] contractu [illegible]
[illegible]
[illegible] contractu [illegible]
illud [illegible] et
[illegible]
[illegible]
[illegible] signum [illegible]
[illegible] contractum [illegible]
[illegible] signum [illegible] contractu
[illegible] signum [illegible]
[illegible] contractum [illegible]
forma [illegible]
[illegible] consensum experimenta [illegible]
signum integrum et [illegible]
et [illegible]
formas [illegible]
[illegible]

super panem et super vinum [illegible]
Aliud dictum quod sit causa huius
sacramenti ut plerumque est consentientes
ministrant si ipsis hoc sacramentum
communio [illegible] si si hoc [illegible] non
recipit [illegible] si non [illegible] est
sacramentum quia aliquis [illegible]
[illegible] et syllabis non exprimitur
[illegible] signa [illegible] Si ergo
tur [illegible] est sacramentum [illegible] dicit
quod ministri [illegible] sacramenti est ordinem
[illegible] ministri [illegible]
[illegible] Si autem [illegible]
adrectum signum et administros
detractos [illegible] dicere quod non
[illegible] consentientes in lege christiana
recipiunt sacramentum [illegible] dici
quod principales [illegible] si alias non
sit obex [illegible] differentie
[illegible] in [illegible] gratiam
[illegible] proponens in sacro. Maxime
si [illegible] non expresset. Ad autem
quis est effectus huius sacramenti dico
quod due gratie in duabus animabus personarum
contrahentium. Et hoc nisi sit obex
per peccatum mortale. Nec sufficit ad
gratiam suscipiendam quod contrahens non
sit fictus respectu sacramenti [illegible]
quod prius peniteat quia illud sacramentum
non dat primam graciam. Ex istis
patet quomodo in matrimonio ponendum
est sacramentum. Contra hoc tamen
est dicens quod sacramentum capitur
dupliciter. Vno modo generaliter prout est
sacre rei signum et sic est sacramentum quia
matrimonium representat unionem christi
et ecclesie. Vnde apostolus loquens de
matrimonio ad Ephesios 5° dicit Sacramentum
magnum est dico in christo et ecclesia.
Secundo modo dicitur sacramentum stricte
et proprie aliquid sensibile exterius

[illegible] ex institutione [illegible]
[illegible] confert [illegible] ut [illegible]
[illegible] Sed aliquid sacramentum sit sacra
[illegible] sunt [illegible] sacramenti [illegible]
[illegible] et ut [illegible] matrimonium
est sacramentum [illegible] sacramentum [illegible]
quod probat sit primo [illegible]
[illegible] non sunt [illegible] dedicta
[illegible] naturalis [illegible] sacra sunt
[illegible] [illegible]
[illegible] naturale [illegible]
sit in baptismo exterius [illegible]
[illegible] naturale [illegible] effectus [illegible]
[illegible] sit exterius [illegible] non possit
reddi [illegible] ut pote [illegible]
[illegible] et [illegible]
[illegible] habitudo
hoc est de iure naturali [illegible]
[illegible] sacramenta [illegible]
[illegible] precepti [illegible] ita
[illegible] est de [illegible] et [illegible]
sacramenti [illegible]
matrimonium est de [illegible] fuit
[illegible] de personis legittimis [illegible]
[illegible] illegittimas [illegible] matrimonium
[illegible] sacramentum [illegible]
non [illegible] recipi [illegible] baptismum [illegible]
baptismus sit ianua sacramentorum [illegible]
baptismum [illegible] matrimonium [illegible]
infideles non obstat [illegible] matrimonium
[illegible] ambo
baptizentur [illegible] matrimonium [illegible]
[illegible] non est [illegible] sacramentum [illegible]
[illegible] sacramentum [illegible]
[illegible] sed [illegible] illorum [illegible]
est de novo sacramentum [illegible] in baptismo
qui est sacramentum [illegible]
[illegible] sacramenti fecit illud
suscipi [illegible] matrimonium [illegible] baptismum

Non fuit sacramentum ita nec post
christo sacramentum non deciunt hominem
[illegible] statu sed matrimonium dicit
hominem [illegible] statu quia [illegible]
[illegible] qui est [illegible] statu [illegible]
dicte [illegible] pars [illegible]
[illegible] et [illegible]
[illegible] Sic ergo [illegible]
[illegible] et quod matrimonium non sit
sacramentum in lege quia est sacramentum
signum [illegible]
[illegible] et [illegible] excedit [illegible]
sacramenta sed tenendum est quod [illegible]
[illegible] sit [illegible] sacramentum [illegible]
[illegible] sacramentum quia est [illegible]
[illegible] et [illegible] gratiam
[illegible] ex opere operato. Et ad
primum [illegible] dico quod [illegible]
[illegible] ita quod [illegible] exterius [illegible]
ad sacramentum [illegible] signa
non naturalia sed ex institutione [illegible]
[illegible] et [illegible]
[illegible] est naturalis [illegible]
ex institutione [illegible] quod in baptismo
est signum ablutionis [illegible]
et [illegible] sit [illegible]
[illegible] collationis [illegible]
sit [illegible] et [illegible]
[illegible] et [illegible] naturali
Sed [illegible] quod [illegible] ad sacramentum
sit [illegible] ma
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] sicut [illegible]
illorum [illegible] videns [illegible]
sit [illegible] iudeis
et [illegible] ipsa verba
quod sunt causa gratie. Vnde non [illegible]
[illegible] sed ab institutione divina [illegible]
quod sunt signa et [illegible]

gratie quod isti conferunt [illegible]
[illegible] sponsam [illegible]
Ad 3m dico quod [illegible] quod [illegible]
[illegible] et forma [illegible] non [illegible]
statuto humano [illegible] humano [illegible]
[illegible] in baptismo
et [illegible] non [illegible] humano statuto
[illegible] non [illegible] sit [illegible]
[illegible] Sed
[illegible] et [illegible]
[illegible] super illud quod iure naturali
[illegible] statuto humano [illegible]
[illegible] per [illegible]
sit et [illegible] est [illegible]
[illegible] quia [illegible] sacramentum [illegible]
matrimonium ut est quidam contractus [illegible]
de iure naturali [illegible] super [illegible] addit
illud quod est sacramentum [illegible]
et causa gratie. Ad 4m autem [illegible]
[illegible] sacramenti et [illegible] statuto
humano sit [illegible]
[illegible] statutum humanum [illegible]
quod non [illegible] alienatio quia fecit
aliquis [illegible] suus ut pote [illegible]
[illegible]
[illegible] quod non valeat [illegible]
[illegible] per [illegible]
non per [illegible] ita [illegible]
[illegible] sit [illegible]
homo qui est [illegible]
[illegible] non per [illegible]
[illegible] et [illegible]
[illegible] per [illegible]
[illegible] ita est [illegible] et
[illegible] per [illegible] non [illegible]
et [illegible] sit [illegible] est [illegible]
[illegible]
et [illegible] per [illegible]
et [illegible] per [illegible]

peccatis mutue [illegible] facti sed
magis firmatur et confirmatur
sicut factum de aliquo non oferto con
fectum ita uolo dicere quod sic in
prima materia ydonea absolutus
fuit non est quibus hoc secundo re
publicatus et in mundo decen
facti etiam sicut factum illud re
iam publicatum est non eo statim
ut surrexit fuit dictum de facto
prime sicut [illegible] ydoneo in
facti exprimendo instituere
est persone legitime adiungendam
matrimonio scilicet mas et femella quae
sunt potestate in [illegible] transferendi
corpus corporum suorum [illegible]
[illegible] etiam in mutando
de ecclesia facti sicut aliquas personas
habiles et legitimas adconti
hendum facit inhabiles et ille
gitimas et econtra auferendo potestatem
et usum et dominia corporum
invicem [illegible] ergo quod etiam econtra
[illegible] mutet eorum decentia
facti [illegible] quod aliquas personas mu
taret [illegible] de [illegible] ad
[illegible] [illegible] apud [illegible]
[illegible] redigeret [illegible] uel
[illegible] [illegible] est dicendum quod sicut
si aliquis confirmaret uel ordinat
cum baptismum non est [illegible] [illegible]
si uellet recipere karacterem
totum est iterandum ita prius
cum baptismum [illegible] in re
est [illegible] si [illegible] post
baptismum consentit uel [illegible]
consensu placet eis [illegible]

tur signum expressiuum in [illegible]
[illegible] [illegible] in illorum [illegible]
[illegible] [illegible] dicendum quod [illegible]
[illegible] non reddit [illegible]
sed peccatum eius licet [illegible]
[illegible] [illegible] est [illegible]
matrimonium [illegible] [illegible] quod [illegible]
[illegible] hominem [illegible] statu prima
[illegible] [illegible] fecit hominem [illegible]
statum [illegible] [illegible] quod ipse [illegible]
[illegible] prima [illegible] recipit
[illegible] [illegible] sicut [illegible]
[illegible] quia [illegible] non sicut
[illegible] et [illegible]
[illegible] [illegible] [illegible] fuerit
ad [illegible] tendere et [illegible]
[illegible] [illegible] et [illegible]
[illegible] Ad [illegible] dicendum quod licet [illegible]
matrimonium sit ad [illegible]
[illegible] donec [illegible]
in isto [illegible] et [illegible]
[illegible] matrimonium quod confert gratiam
[illegible] [illegible] tendit in illo
statu [illegible] [illegible]
[illegible] est ad [illegible] et ad
bonum quod confert gratiam qui
[illegible] malum fugere et bonum [illegible]
quia [illegible] sit matrimonium et [illegible]
et [illegible] matrimonium [illegible]
Alterum est [illegible] quod [illegible]
[illegible] aliud est matrimonium et ad
[illegible] matrimonium et ad [illegible]
matrimonium [illegible] matrimonium est illa
obligatio [illegible] [illegible] illud
de quo dictum est [illegible]
et [illegible] [illegible] et ista
[illegible] secundum [illegible] est

aliud [illegible] ille persone adinuicem
obligantur ibi [illegible] est [illegible] do
minium [illegible] alieno [illegible]
[illegible] [illegible] [illegible] personam
[illegible] [illegible] dominium [illegible]
[illegible] in [illegible] addit [illegible]
[illegible] [illegible] matrimonium est [illegible]
[illegible] de quibus dictum est
[illegible] et [illegible] et [illegible]
[illegible] [illegible] interioribus et
exterioribus duarum personarum
[illegible] et [illegible] matrimonium
[illegible] [illegible] [illegible]
[illegible] ut [illegible] sit [illegible]
[illegible] [illegible] magis [illegible]
[illegible] ordinem [illegible]
Tertio matrimonium est signum
efficax [illegible] [illegible]
et [illegible] [illegible] dictum est [illegible]
quae [illegible] [illegible] quod alius
diffinitur sicut [illegible] est
maris et femine [illegible]
[illegible] signis [illegible] de [illegible] li
bere [illegible] [illegible]
[illegible] personas legitimas [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] est [illegible]
[illegible] [illegible] [illegible]
[illegible] quod [illegible] maris et
femine [illegible] [illegible] [illegible]
ut [illegible] quia est [illegible] differentias
[illegible] [illegible] [illegible]
[illegible] [illegible] matrimonium [illegible]
[illegible] quod dicendum [illegible]
[illegible] [illegible] [illegible]
[illegible] matrimonium [illegible] quod
[illegible] sit [illegible] et [illegible]
[illegible] quod si [illegible]
[illegible] [illegible] et [illegible] aliud

consensus [illegible] matrimonium
[illegible] requiritur quod consensus exprima
[illegible] [illegible] sed hec fiat [illegible]
uel [illegible] [illegible] uel quibuscumque
aliis certis signis [illegible] requiritur
quod [illegible] consensus sit liber non co
actus non metu qui [illegible] cadere
[illegible] [illegible] extortus [illegible]
[illegible] quod dicitur libere non
[illegible] excludit [illegible] ex
[illegible] [illegible] [illegible] conditionem
[illegible] [illegible] libere [illegible]
ignorat [illegible] [illegible] [illegible]
[illegible] [illegible] libere [illegible]
libere [illegible] [illegible] [illegible]
quod dicitur [illegible] [illegible]
dicit quae [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] et [illegible] consensus
[illegible] [illegible] efficit matrimonium
[illegible] requiritur quod [illegible] consensus sit [illegible]
[illegible] [illegible] et [illegible] consensus
[illegible] [illegible] ut [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] et [illegible]
[illegible] [illegible] [illegible] ut [illegible]
[illegible] [illegible] quod [illegible] personas
legitimas excludit [illegible] non
apte adiungendas matrimonium [illegible]
[illegible] et de [illegible] [illegible]
individuam vite consuetudinem retinens
[illegible] [illegible] [illegible] quod [illegible]
alterius [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et
quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et idem [illegible] alteri

exhibeat quilibet sibi et subdi-
endoe vel quando nisi e re-
mittendo exigenti quod dicitur
creationem confidelium quod non
retinet individuam vite consuetu-
dinem cum ut possibile est distinguit
cum matrimonium contractu et sacramentum
et dicit quod non est quia matrimonium
vel errore patris et hic sed solum
proximalis materiali et passive
duobus cum modus ut contitus
matrimonio et sicut eum deponit
in tota forma sit matrimonium est
nominalis indissolubile vite mutue
et sociae cum mutua translatione potestatis
corporis sui non nisi mutua facta
ad procreandam prolem debite edu-
candam. Sacramentum matrimonii est
mutua translatio maris et
feminae corporis proprium proprio pretio
ad procreandum prolem debite educan-
dam. Sacramentum matrimonii est ex-
pressio verborum vocum maris et
feminae adinvicem traditionem
mutuae potestatis corporis ad prolem
procreandam debite consentientes
dicendo sacramentum potestatis contrahenti con-
fitendo mutuo contrahentibus
adiunctionem mutuam eorum
significantem. Sed si ita est tunc
per prius forma hic scilicet
est consentire per prius consti-
tutio pena [illegible] loco illius
expressio vocum exhibito textu
[illegible] maris et feminae vel eadem
continuatis personis traditionem mu-
tuam potestatis corporis maris et
feminae ad prolem debite procreandam

Restat probare eadem quem [illegible]
dicitur quod ex tunc matrimonium apud
institutum est adeo cum lapsus hic
non ex exfossibus [illegible] et [illegible]
et multiplicationis et tunc fuit
solum non sufficiens quia hic ipse
non patuit specie consuetae idea
adiuncta fuit sed potest aut in
actu contractus post post lapsus
que lapsum constitutus fuit ille
tunc. Unde 2° multiplicamini contrahentes
et eximiis dixit deus crescite
et sicut genere resistite et multiplicamini
et post lapsum est in remedium
quia carnalis [illegible] post lapsum
non est sine sermone relinquat quod
semper petitum est in [illegible]
exemplum et est ita institutum
modum precepti cum ita quod ob-
ligetur semper sed non est sed adhuc
super tempore [illegible] non tamen [illegible]
sed adhuc cum eodem obligando
si paucitas [illegible] extra aliquo
accideret puta ex bello peste
vel clade et hic placet quoniam
1° [illegible] est adeo per legem positivam
divinam institutum est alio ab
ipso sed ut [illegible] de non tor-
dibus homini dei legem nostre est
1° [illegible] licet cum [illegible] vel ut
[illegible] mutuo [illegible] ut 2° [illegible] respondet
secundum se obligationem indifferente
constituit deus ex lege pura positiva
[illegible] 2° adherebit uxori sue
adherebit [illegible] non acciperet
[illegible] instituit et [illegible]
legem nostre non solum quantum ad

evidens vero ex lege illa sed
quantum ad evidentiam constat loqui
[illegible] ex [illegible] ex parte [illegible] et illud
preceptum est secundum [illegible] preceptum
quia obligaret semper et ad semper
ob [illegible] legislatore fiat specialis
dispensatio ut dicit nostra.
Sacramentum matrimonii instituit deus
per deum in [illegible] genere eius
[illegible] descriptione. Et idem ex [illegible]
[illegible] quod eandem [illegible]
[illegible] ita hec [illegible]
[illegible] exprimit [illegible] dicens
deus [illegible] fecit masculum et
feminam et dixit quapropter ad-
herebit homo [illegible]
explicite [illegible] opposi-
tionem [illegible] veritate. Nota quod
ut dicit [illegible] licet preceptum
[illegible] adhuc
duret quia [illegible] est [illegible]
non [illegible] est obligatus ad
[illegible] matrimonium quia alibi
[illegible] [illegible] sed [illegible]
alia [illegible]
[illegible] ut [illegible] et [illegible]
edificatio et [illegible]
[illegible] quarto [illegible]
[illegible] debeat
exerceri [illegible] ab ali-
quibus dignitate exercerent
[illegible] est [illegible] matrimonium quod
est [illegible] ad [illegible]
[illegible] et [illegible]
et [illegible] quod preceptum dei
[illegible] dignitate
et [illegible] tenet [illegible]
[illegible] est [illegible]

ad contrahendum matrimonium si [illegible]
[illegible] preceptum
preceptum illud fuit [illegible]
ob obligent si [illegible]
[illegible] velit [illegible] aut quod
ob [illegible] excepto religioso
qui [illegible] tenet
tenetur iste religiosus adimplere
preceptum [illegible]
[illegible] quod est [illegible]
[illegible] precepto quod est [illegible]
[illegible] matrimonium
sit magis ad matrimonium [illegible]
quod [illegible] quod [illegible]
[illegible] ad [illegible]
omnium [illegible]
[illegible] deficeret [illegible]
ob [illegible] religiosi [illegible]
[illegible]
[illegible]
obligaret ad contrahendum matrimonium
vel [illegible]

Queritur 2° de [illegible]
queritur [illegible]
[illegible] depositi
expressis [illegible]
quod [illegible] possit [illegible]
[illegible] matrimonium
[illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] copula
quod [illegible]
[illegible] copula carnali
[illegible] debet [illegible]
[illegible] illud [illegible]
sponsalibus [illegible] qui [illegible]

completo pmissi e delege nc
sit et fidel no aut pmissio
actio si pecuniale coplam fit
i pletoz pmissi qz ic certi no
e fir cherendi nc flx sact
pcus fuit cntrcm pmissi
e contractu mdisso et maxe
p gsiema nizamcto qz fuat
nizamcto e delege nc ta//
to dw e amedio quatuo ad//
tempte. illud aut sponsalia
et cntraci p qm sponsalib
cppet incautio excedit pe
gtis sponsalia firmitate qz
sponsalia hnt firmitate pia
fu iuramto i qm cppo in//
tempto e tenetis [illegible]
et in [illegible] e pna depnti
[illegible] qz [illegible] cx//
pssio est psigna qz sit psto
sto obligat [illegible] pueta
sto obligat ad p adobliga//
tom [illegible] gmisso inteior
su p expssione [illegible] et
adobligatom [illegible]
inteior su expssio [illegible]
pgna [illegible] cpfessione [illegible]
[illegible]
[illegible] pssio sit pna de//
sito [illegible]
cntraci tenale [illegible] pna
desito [illegible] e [illegible]
[illegible] pna admae
requit [illegible] pna ex//
pssio ut paliqua pgna cne
[illegible] et gensemu//
tud exprimen [illegible]

sensu ph expressum hoc qz
zets q e libe comi no hust
[illegible] de gsenssu [illegible]
aut pupios quis tam
[illegible] effecto do//
cumtio [illegible] ozdinat
[illegible]
[illegible]
[illegible]
pat [illegible] et plas [illegible]
[illegible]
[illegible]
[illegible]
e onis pupioz [illegible] expsso
cntentio [illegible] pgna [illegible]
expsso psigna [illegible]
[illegible] que obligant [illegible]
tuo [illegible]
trahentio [illegible]
sto obligad [illegible] expssio
pgnio [illegible]
[illegible] expmen
gensu potisse ita depnti
et est aliqua [illegible] ut [illegible]
aliud est [illegible] ut alia
[illegible] ut hec
[illegible] absentes ut [illegible]
taciturnitas ut puella tacet
[illegible] pna [illegible]
[illegible] ut pretoz [illegible]
adhr speale mandato ut
desiceat et [illegible] extra
desponsalib [illegible]
ato [illegible]
[illegible]
sub [illegible]

[illegible]

et [illegible] aliis [illegible]
exhibit [illegible] arbitre//
[illegible]
e [illegible]
qz [illegible] et [illegible]
[illegible] et alia pgna [illegible]
cntractum [illegible] possit ee
[illegible] et alia
pgna sit [illegible]
[illegible] gensisse et
[illegible] gensu
[illegible]
[illegible]
[illegible] expsso
pgna [illegible] gensu [illegible]
[illegible]
[illegible]
[illegible] obliga//
tam [illegible]
[illegible] et [illegible]
[illegible]
[illegible] pmittendo [illegible]
[illegible]
expsso pgnis [illegible]
[illegible] e [illegible] pmis//
[illegible] pmissio e [illegible]
[illegible]
[illegible]
et [illegible] Sed [illegible]
gensu desito pgnis [illegible]
[illegible] expsso [illegible]
[illegible] copula [illegible]
[illegible] sponsalia [illegible] spo//
salia [illegible]

[illegible] quod
[illegible] sponsalib [illegible]
[illegible] gensu sponsalia
[illegible]
et e i [illegible]
[illegible]
[illegible]
[illegible]
[illegible] sponsalia [illegible]
[illegible] exhi//
bendi [illegible] sponsalib [illegible]
[illegible]
depnti [illegible] exprimit [illegible]
[illegible] et [illegible]
[illegible] depnti et [illegible]
[illegible] pmisso [illegible]
[illegible]
[illegible]
et [illegible]
[illegible] p [illegible]
sponsalia [illegible]
copulam et [illegible] exhibendi
ut gplendi [illegible] sponsalia
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] sponsalia [illegible]
[illegible]
[illegible] accipit [illegible]
[illegible]
[illegible]
[illegible]
[illegible] copula [illegible]
[illegible]

[illegible] copula [illegible] sponsalia

coactum sit matrimonium scilicet quod non est matrimonium
in foro conscientie nec coram deo quia
quia deest consensus deficit et
tamen sine coactus [illegible] consensu
non est matrimonium de quo est autem con//
parte coactus cum convenerint
fornicario affectu vel ex parte alterius
qui dolo vel extorsione [illegible]
copulam ab alio et ulterius est
in matrimonium et hoc est quod dicitur
desponsationibus [illegible] [illegible] quod ubi
dolus affuit consensus defuit
sine quo cetera solennitas nequit con//
federe coniugale. 2° [illegible] sed
certam indicat [illegible] [illegible]
esse coram matrimonium sed indicat
2m matrimonium subsecutum non
valet sed quo ad forum conscientie
solum sit coram matrimonium est dicit
oppositum. [illegible] dicunt quod licet primum
matrimonium nullum sit cum consensus
deest et tamen copula con//
torquetur dolo sed tamen sequens
matrimonium non tenet [illegible] conscientie
[illegible] [illegible] matrimonii quod ullum
fuit sed propter statutum [illegible]
[illegible] circa extra [illegible] praenotas
illegittimitas adimplendis et
[illegible] fecit ut dicunt [illegible] [illegible]
et physici [illegible] [illegible] de//
[illegible] allegata [illegible] [illegible]
[illegible] qui [illegible] dicitur quod non [illegible]
nec aliquid tempus matrimonium quod
defectu est per modum subsecuti
[illegible] dicunt [illegible] et verius quod
[illegible] matrimonium non impedit
primum quo ad forum conscientie non
primum [illegible] [illegible] [illegible]

quod [illegible] dicunt quod contra praefatam
praenotas illegittimitas quia quamvis
hoc sit coram [illegible] [illegible] in
[illegible] fecit illegittimitas [illegible]
[illegible] statutum exprimendum
in decretali quod allegata sed
intelligenda sunt [illegible] quo ad//
praesumptionem ecclesie scilicet [illegible]//
[illegible] [illegible] [illegible] [illegible] in//
foro conscientie non est nec potest esse
maritus [illegible] [illegible] et tamen ad
[illegible] ei [illegible] vel [illegible]
in foro exteriori [illegible]
excommunicatos [illegible] est primo quod
primum remedium est fuga [illegible]
[illegible] post excommunicationem vel forte
[illegible] [illegible] [illegible] [illegible]
cum vera uxore quod [illegible] [illegible]
propter scandalum [illegible] post [illegible] sed
[illegible] [illegible] timet [illegible] [illegible]//
[illegible] [illegible] [illegible] possit [illegible]
ad [illegible] vel excommunicari [illegible]
probabile [illegible] quomodo//
fiat. Secundum remedium est
matrimonium cum prima fuit [illegible]//
non [illegible] [illegible] [illegible]
quia circa [illegible] [illegible] [illegible]
quia [illegible] [illegible] [illegible] [illegible]
sed tamen [illegible] [illegible] matrimonium [illegible]//
[illegible] et [illegible] relaxabit
in foro autem conscientie [illegible]
[illegible] [illegible] [illegible] [illegible] prima
sponsalia fuerunt [illegible] propter
defectum [illegible] [illegible] [illegible]
3m remedium est religionis [illegible]
[illegible] [illegible] [illegible] si [illegible]

matrimonium post absolutum vel a prelato
si habet privilegium vel audire
de absolutione sed post consumationem
non debet absolvi nisi per [illegible]
obedientiam ut fuerit [illegible] con//
[illegible] [illegible] et si possit in//
[illegible] quod [illegible] [illegible] melius
est [illegible] [illegible] quod [illegible]//
[illegible] [illegible] [illegible]//
[illegible] vel [illegible] [illegible] [illegible]//
[illegible] est supplicatio ad papam
qui potest absolvere ab [illegible]
et debet ab illa [illegible]//
dicere si [illegible] est [illegible] [illegible]
[illegible] te absolvo si [illegible]
[illegible] [illegible] absolvo te [illegible]
quod [illegible] [illegible] propter scandalum
[illegible] absolvimus [illegible]//
[illegible] sed [illegible] vel palam
alibi possit [illegible] [illegible] quod
alias [illegible] [illegible] [illegible]
sive [illegible] [illegible] filii [illegible]
propter de [illegible] [illegible] [illegible]
dicitur quod [illegible] [illegible] [illegible]//
telligitur de [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
autem et si fiat [illegible] illud
[illegible] [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible] erat
[illegible] [illegible] ad 2m dico quod
promisso et si sit [illegible]
[illegible] [illegible] attingit ad//
[illegible] [illegible] et [illegible]//
[illegible] tenetur [illegible] promissa
[illegible] [illegible] sua. Si autem
[illegible] alia [illegible] est non potest
[illegible] ab illo cui dedit [illegible]
[illegible] reddere promissa vel tamen

tenetur ad restitutionem [illegible] sibi
abstulit sed de [illegible]
reddendi promissa [illegible]
defraudatore promissis et ita
est [illegible] [illegible] [illegible] [illegible]//
dissolubile [illegible] [illegible] ob//
ligatio est matrimonium est [illegible]
[illegible] [illegible] et [illegible]
[illegible] est [illegible] [illegible] [illegible] promisso
autem et si sit [illegible] [illegible]
[illegible] [illegible] est [illegible] [illegible]//
[illegible] ad 2m dico quod [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] addita sponsalibus [illegible]//
[illegible] [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible] [illegible]
et [illegible] sponsalium ad 3m
dico quod [illegible] est [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] et deob//
ligatio matrimonii quod sit [illegible]
[illegible] [illegible] [illegible] sed [illegible]//
[illegible] sed consensus [illegible]
exterius [illegible] et [illegible] [illegible]
interiore [illegible] [illegible]
cum [illegible] exteriora vel signa
[illegible] [illegible] [illegible] ad 4m
dicitur quod obligatio [illegible] sit
[illegible] [illegible] et [illegible] dicitur [illegible]
[illegible] sed obligatio ad futuros
actus sit [illegible] [illegible] vel
promitto quod [illegible] [illegible]
[illegible] [illegible]

Utrum [illegible] [illegible]
consensus [illegible] [illegible]
[illegible] [illegible] [illegible]
ad [illegible] matrimonium [illegible]//
[illegible] quod [illegible] [illegible] timore

sufficienter consentit ita quod recte
recipit sequendum cum regendo
et adolescentiam suam quamvis pu//
pupille ex debaptismo et cum effectu
Secundo in capitulo ipso ubi
ibi sit mentio in spirituali similiter
sicut in carnali ex delicto
cum metu vel causa fuerit sed aliter
clero facta penitencia si sit quia//
matrimonio firmata et obligatio
in capitulo ... ut //
carnaliter facta penitentia ...
cum quando indutum efficax
adeo sic blanditur ita efficax
induci posset si ... ut
crimine in consensu pro blandi//
tiis ut declinat aliquid
cum ... matrimonium ... frm
sic ex desponsacionibus impuberum
... filius ... ad//
... non mutuus ... dispen//
... ut ... tradere
et propterea filium ad perfectam eta//
te provenit ... adi//
plere sicut hec de sponsalibus despon//
sa ... de sponsalia
quod ... differendi ...
... sufficiens ... religionem
... et ... sponsus
... eligat et hoc
capitulo ... papa ... //
... ad ... ma//
trimonium spirituale ... adre//
cipiendum ... ...
et ... ... clandestina ...
qualiter ... sit penitentia et
ego ... et deinde
in ... quando ... tradit in//
constantem ... et ... //

non cadit in constantem virum et
constantia ... abstinentie
... quanto ad duo primo ... //
... adequate ... hic
quod constans ut minor ... sequitur
... pena ... proprie
faciendo sit ut committendo
quod omne malum pene non
... eligendo est
... et ... constans
ad perferendum omne malum pene
... metu mortis mali ...
aut ... malum
perferendo ut faciendo ut ...
omne ... aut ...
ad malum malum faciendo ...
metu mortis mali ...
... ad peccandum ... metu
corporis pene Secundo ...
quantum ad ... pene
ut ... quod constans
... in ... ...
et probat ... ad ...
Secundo patet quod constans ...
... ad committendum malum
culpe admittendum malum pe//
ne quod malum culpe peti//
... maius et peius quam
malum pene Secundo quod omne
malum pene ... et ... //
... constans ... ad//
perferendum aliqua mala pe//
ne corporalia ... ...
... aut
mala pene quam ad ...
... sub morte ...
gravia de ... //

... et ... ad//
... ad ... //
... corporalia mala perpe//
tienda ut ... ...
... aut infamia sit
magnum dampnum ... ei posset//
... pro ... sum
... infamie
... illo ... //
... et ... ...
... duo ... et ... ...
... penitentia qui cadit
in constantem ... admittendum
... constans ...
quod ... sit ... //
... sic ... quod ...
... penarum quas ...
... penas ... perferret
... ut ...
... ... ut ...
... consistit ... ...
... ...
... et ... ...
et ... obligat Secundo et ...
... penitentia cadit
... ... ad//
... quo ... esse
... ... de//
... exterior ...
... ...
... ... //
... ...
... ... peti
mortis ... ad ... ...
... ...
extrema et ad exprimendum
... penitentia illa aut
... ...

interiori ... peti mortis quod p//
... ... in illo ... //
... in ... regi ad ... //
... ad confessio//
... ... quod ...
qui ... et ... ... cadit
in constante ... ...
in constante ... ... cadit
metu ... quod metu
... mortis Secundo quod ... metu
... cadit ... ... ad//
... omnia mala ...
... quatuor ... pena est
omnium malum quod ...
... Quidem ... delicto
et illicito quod ... ...
... ... ad ... ut
et ... quod magis ... ...
... illicitum quam ... penam
si ... ...
... ad ... illicitum
quod ... pena ...
... ...
... ... //
... ad penam ... per
... illa pena ... quod
violentia ... ut ... //
... et penitentia
exigeret ... ... //
... ad ... ... quam ...
metu ... ...
... ... metu
... ad illud ... quod
... peti mortis ... //
... in capitulo ... ...
... metu ... ille ad//
accipiendum illud ... ...

cum ut accipe e huiusmodi isto est
aut huiusmodi cum ut grauius consi-
mitetur. Si dicitis quod propter
hoc quod non est dicendum ita
quia quamuis metus cum generat
[illegible] tamen si consistit [illegible] ex addito
consensu non sufficit inducit metus
Item cum cogit primo addita
extra ita quod alii mone-
at [illegible] [illegible] si [illegible]
ad [illegible] [illegible] sed mortis
in [illegible] cogi [illegible] loquendum in
[illegible] [illegible] [illegible] si [illegible]
malum quod [illegible] [illegible] pro
mortis vel periculum mortis [illegible]
in cogit ad consentiendum nulla
[illegible] est [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]
Item si [illegible] in [illegible] periculo
constitutus [illegible] [illegible] [illegible]
[illegible] [illegible] metu [illegible] et
si esset aliquis alius actus [illegible]
[illegible] [illegible] [illegible] [illegible] primo
et [illegible] [illegible] [illegible] [illegible] [illegible]
ad illud cogeret [illegible] [illegible] [illegible]
Item [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] consensus [illegible]
[illegible] [illegible] tamen [illegible] [illegible]
[illegible] [illegible] et non [illegible]
hoc [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible] ex
[illegible] [illegible] [illegible] [illegible]
et ex [illegible] [illegible]
[illegible] [illegible] qui [illegible] [illegible]
[illegible] [illegible] non [illegible] et patet
[illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] sponsalia [illegible]

[illegible] [illegible] [illegible] mortis et
[illegible] sponsus et sponsa non
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] aliud [illegible] [illegible]
ad [illegible] [illegible] prima [illegible]
voluntate primo cogi ad actum
consentiendi patet [illegible] [illegible] [illegible]
consentiendi e [illegible] libere [illegible]
Si non [illegible] voluntatis [illegible]
ad istud actum [illegible] non esset liber
et non esset [illegible] quod e [illegible]
Secunda [illegible] [illegible] [illegible] voluntate
[illegible] [illegible] [illegible] cogi ut [illegible] [illegible] cogi
[illegible] [illegible] [illegible] [illegible] [illegible]
ut esset [illegible] cogi ad aliquam [illegible]
[illegible] [illegible] quod tamen non e sua
[illegible] ut si quis [illegible] [illegible]
[illegible] [illegible] possit [illegible] [illegible]
[illegible] [illegible] Tertia [illegible] [illegible]
[illegible] [illegible] [illegible] cogi ad [illegible]
voluntas [illegible] ut esset [illegible]
[illegible] [illegible] [illegible] cogi [illegible] [illegible]
metu [illegible] [illegible] [illegible]
[illegible] ille [illegible] [illegible] patet [illegible] [illegible]
[illegible] [illegible] esset patet [illegible] ista [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
in actibus [illegible] [illegible] malum
[illegible] [illegible] magis [illegible] [illegible]
quod actum illud displicibile [illegible]
et [illegible] tamen [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] magis [illegible]
quod actum illud displicibile
[illegible] ut [illegible] mortis et [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible] mala [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] quod aliter non vellet et [illegible]
[illegible] actum aliter [illegible] [illegible]
[illegible] ista mala et hoc [illegible]
[illegible] [illegible] Unde [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
aut [illegible] metus [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] non [illegible] [illegible] [illegible]
[illegible] quod illud periculum mortis
et nulla sola pena [illegible]
[illegible] mortis Quinta [illegible]
[illegible] [illegible] 100 [illegible] non
[illegible] ad [illegible] [illegible] hoc [illegible]
[illegible] ex [illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] 19 est
[illegible] Sexta quod [illegible] [illegible] [illegible]
et [illegible] et [illegible] [illegible] 19 [illegible]
et causa efficiente [illegible] [illegible]
[illegible] [illegible] item forma et causa
finali [illegible] quia efficiens [illegible]
[illegible] [illegible] item formam [illegible]
patet [illegible] [illegible] [illegible] [illegible]
non liberat [illegible] [illegible] ut [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] quod non
[illegible] [illegible] [illegible] patet [illegible] [illegible]
item [illegible] [illegible] [illegible]
sed [illegible] [illegible] Unde [illegible]
non e [illegible] [illegible] [illegible]
tamen [illegible] patet [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] Item [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] aut
[illegible] quia [illegible] [illegible] [illegible]
tenet [illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] non
[illegible] [illegible] [illegible] et non [illegible]

[illegible] [illegible] [illegible] [illegible]
[illegible] puella et [illegible] [illegible]
[illegible] [illegible] et statim [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
illo [illegible] [illegible] [illegible] patet [illegible] [illegible]
[illegible] [illegible] est [illegible] [illegible]
[illegible] [illegible] indissolubilitas
[illegible] ad ipsum actum [illegible] [illegible]
[illegible] [illegible] primo e libe-
[illegible] [illegible] ut allegatum e 2o [illegible]
[illegible] [illegible] [illegible] [illegible] diligit
[illegible] [illegible] Sed [illegible] [illegible]
[illegible] si [illegible] [illegible] metu primo
consentit nulla ut dictum est
[illegible] [illegible] [illegible] consentit [illegible]
[illegible] [illegible] [illegible] ut [illegible]
periculum mortis [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] voluntas [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] nulla Item si [illegible] [illegible]
[illegible] [illegible] metu [illegible] [illegible]
[illegible] si [illegible] [illegible] vel
[illegible] [illegible] si [illegible] [illegible] [illegible]
hoc [illegible] [illegible] [illegible] [illegible]
et tamen metus [illegible] mortis est
[illegible] metus [illegible] [illegible]
[illegible] [illegible] ad metus [illegible] [illegible]
[illegible] [illegible] Item non tamen [illegible]
si quis [illegible] malum [illegible] et
[illegible] [illegible] [illegible] malum [illegible] [illegible]
[illegible] [illegible] vel pene [illegible] [illegible]
[illegible] quod si [illegible] [illegible]
[illegible] [illegible] vel [illegible] quod [illegible] se
[illegible] [illegible] ille ut [illegible] [illegible]
[illegible] in ea accipit eam [illegible]
quod sit [illegible] [illegible] [illegible] tamen ibi

est metus / Ad p[ri]m[um] concedo q[uod] ille qui
committit metu[m] pen[e] mortis vel carceris
p[er]petu[m] retinend[us] tenetur d[e] dei [iure] ad rest[itutionem] //
moralia / q[uia] exigit[ur] ab eo et p[ro]p[ter] quod
debet consentire interius cordialiter nisi
nec tu p[er] istu[m] consensu[m] sufficit p[ro]p[ter] t[ra]ns[latio]
sui corporis in istam / q[uia] nullus corpus
est t[ra]nslatus nisi mere liber tra[n]s
si dicas iste libere h[abe]t actu[m] voluntatis /
igitur concludo nisi est sufficit / dico q[uod]
no[n] libere h[abe]t / q[uia] no[n] nisi ex metu
h[abe]t / licet metus no[n] sit causa eff[icien]s
tua / s[ed] causa occasionalis inductiva
sit no[n] libere loq[ue]ndo s[ed] [...] coactiora
s[ed] p[er] metu[m] / Vel p[otes]t dici q[uod] deus q[ui]
est d[omi]n[u]s superior in illa t[ra]nslatione
no[n] ratificat ea[m] n[isi] sit mere libera
Et p[ro]p[ter] hoc posset r[espo]nderi ad illud ar-
gume[n]tu[m] / Ille sit se no[n] t[ra]nsferre ad
p[ro]p[ri]u[m] q[uia] no[n] libere co[n]sentit et s[ub]iungo
q[uo]tio[ne]m [...] se t[ra]nsferre igitur metu[m]
Vnde q[uod] [...] se t[ra]nsferre concludo
nisi est / s[ed] sit se no[n] t[ra]nsferre
q[uia] sit no[n] ratificand[o] a superiori / Si
dicas igitur ad hoc q[uod] no[n] mentiatur
q[ui] d[icit] ego accipio te in mea[m] si deus
p[er]misit / Credo / ista c[on]ditio semp[er]
intelligit[ur] co[n]cludi q[uod] sit absoluta locu-
tio et illo d[e]b[e]t intelligi v[er]bu[m] eius.
accipio te in mea[m] supp[ositu]m co[n]tu[m] tunc
est p[re]supposita violencia illa / et
si deus ratificaret p[er] tale co[n]sensu[m]
quale nu[n]c habeo tradicione[m] corp[or]is
sui tradere te mea[m] / et in tantu[m]
trado q[ua]ntu[m] tradi p[otes]t p[er] tale co[n]sensum
Ad 2[m] dico q[uod] contrahe[n]s q[uod] metu[m] obe-
dientia[m] [...] metu[m] pen[e] mortis q[ui]
trahit vt fuerit iusticia igitur
co[n]mexa electio / ad aliud dici[tur]

q[uod] si t[ame]n timeat pena[m] in p[er]p[etu]o tu[n]c
posset potali metu[m] esse co[n]sensus no[n]
suffic[ien]s ad m[at]rimon[ium] vt dicit Scot[us] / et
si timeat p[er]petu[m] in p[er]p[etu]o et hec valde
c[er]titudinal[ite]r op[er]is p[er]fectu[m] erit sicut illa
accipet n[on] peccaret / et sicut illa acci-
pet tenet m[at]rimoniu[m] / q[uia] erit co[n]sensus
liber co[n]tradicio[n]e / Queritur secundo sic
m[at]rimoniu[m] quod p[er] metu[m] co[n]trahi[tur] ratifi-
cat[ur] p[er] co[n]sensu[m] subsequente[m] tacitum
sic q[uod] ratificat[ur] p[er] solu[m] carnalem
copula[m] / salte[m] quo ad foru[m] eccl[es]ie
p[ro]batur p[er] [...] p[ro]p[ter] q[uia] tacitus co[n]sensus p[er] p[re]sumptione
p[ro]bat[ur] ex[...] s[ed] [...] expressione ex
terioris p[ro]bat [...] et h[abe]t [...]
si p[er]sona libere ligata in p[er]petuo
co[n]sensu[m] alitis p[er]mansit / Sed
p[ri]m[o] ad hoc / si p[er]sona libere ligata
[...] co[n]sensu[m] t[ame]n [...]
co[n]sensu[m] libere aliq[ui]s tu[n]c vel
[...] m[at]rimoniu[m] a[...] et [...]
p[er]ceret [...] co q[uod] non
expectarunt [...] ipe libere
co[n]sensu[m] aliq[ui]s [...] vel ex
p[re]sso vt [...] m[at]rimoniu[m]
[...] et tu[n]c s[ecundu]m iudiciu[m] eccl[es]ie
p[re]sumere [...]
et q[ui]a [...] s[...] co[n]sensit
potest [...] dissentire si alius
[...] negaverit su[u]m co[n]sen-
sum / [...] de sponsalibus de/
[...] iudiciu[m] d[e]i et
co[n]ste [...] m[at]rimoniu[m]
[...] p[ot]est [...] p[er]sonis
[...] / Si
aut[em] [...] p[er]sona fuit [...]
[...] adhuc [...] sit [...] m[at]rimoniu[m]
[...] co[n]sensu[m] [...]
[...] si [...] [...]

[...] ex[...] Secunda p[er] co[n]clusio
[...] q[uod] si aliqua co[n]stanti et
p[ro]ba [...] p[er] co[n]sensu[m] [...]
[...] [...] vir[...] si p[er] [...]
[...] abs[...] [...] [...] car-
nali copula [...] 10 no[n] fit
m[at]rimoniu[m] quo ad foru[m] d[e]i
[...] quo ad foru[m] eccl[es]ie q[uia]
[...] co[n]sensit in m[at]rimoniu[m] [...]
poterit [...] vt [...]
[...] p[re]sumit eccl[es]ia co[n]sensisse [...]
fornicatione[m] [...] p[er]timonia
talis q[uia] [...] p[re]sumit [...]
solu[m] [...] [...] et vir et
[...] et [...] [...] m[at]rimoniu[m]
[...] eccl[es]ia / Si [...]
[...] motu solu[m] co[n]senserit
[...] [...] co[n]senserat
[...] in m[at]rimoniu[m] sine no[n]
ratificat m[at]rimoniu[m] quo ad
foru[m] eccl[es]ie p[ro]bat q[uia] [...]
adhuc [...] [...] metu[m]
et [...] [...] reclamandi p[er]
mittit se [...] p[re]sumit [...]
[...] co[n]sentire in m[at]rimoniu[m] [...]
[...] libero co[n]sensu [...]
[...] sit [...] m[at]rimoniu[m] quo
ad [...] d[e]i / Si [...]
co[n]stet se co[n]sensisse [...]
[...] et p[er] [...]
vel [...] et [...] co[n]sensisse
in m[at]rimoniu[m] [...] ratificat m[at]rimoniu[m]
p[re]cedens quo ad foru[m] eccl[es]ie
q[uia] si co[n]stet se [...] [...]
[...] p[er] metu[m] [...] [...]
sive [...] [...] [...]
[...] [...] [...] m[at]rimoniu[m]
[...] eccl[es]ie vt [...] / [...]
[...] [...] [...]

sit [...] et [...] si co[n]stet
se co[n]sensisse [...]
solu[m] [...] se co[n]sensisse
[...] et hec [...]
metu[m] / [...] m[at]rimoniu[m] //
[...] m[at]rimoniu[m] / [...] si sponte co[n]//
sensisset [...] carnale p[er]
[...] co[n]sensu[m] in m[at]rimoniu[m] [...]
dicit se no[n] co[n]sensisse in m[at]rimoniu[m]
[...] reddere ei si induxit p[er]
m[at]rimoniu[m] / si co[n]stet[er]et se dolo
se [...] [...] [...] vel
p[er] sponsalia carnale [...]
solu[m] [...] [...]
[...] / et sic [...] de
co[n]sensu[m] [...] [...] de
[...] m[at]rimoniu[m]
[...] / p[ri]m[o] [...]
q[uia] [...] [...] //
[...] [...] vt si [...] accipio
in mea[m] p[er] duos annos / Ad p[ri]m[um]
[...] exp[re]ssione [...] [...]
si p[ri]m[o] [...] m[at]rimoniu[m] q[uia]
co[n]sensus [...] [...] [...]
[...] / Sed [...]
[...] [...] [...]
[...] m[at]rimoniu[m] et [...]
m[at]rimoniu[m] / [...] [...]
[...] et [...]
[...] [...] [...]
[...] [...] / Si
aut[em] [...] [...]
[...] aut ita [...] [...]
aut [...] aut [...] / Si
[...] [...] [...] p[er]//
[...] si [...]
[...] m[at]rimoniu[m] et
[...] m[at]rimoniu[m]

[...] co[n]s[ensu]s

nisi forte conditio sit impossibilis
quia propter fauorem matrimonii habetur
pro adiecta sicut si dicatur
sub conditione si celum digito tetigeris
si hodie tu digito tetigisti
celum uel si hodie tangis. Et
dico quod licet tales conditiones
possint poni. Reuenient tamen
admonendi dispensando uel
decisione consensu uel
displicentiam in opposito sicut
faciende decisiones de talibus
particulis in concilio statuit etiam
quod licet tales decisio conditiones
decisione materialibus contractibus
apponantur impediunt tamen tibi
etiam dicit et precepta non
apponatur. Item si stat tunc quod
hac scientia committit sua effi//
catia. Si uero conditio sit de//
futuro tunc aut est mixta et
tunc habet pro impleta et stat
matrimonium ut si quis dicat te
accipio tecum si pater tuus consent.
Si autem impossibilis tunc habetur pro
adiecta et stat matrimonium aut
contingens pro casu tamen matrimonium
et tunc nullum est matrimonium aut
sponsalia ut si dicatur consentio
tecum si gratiam plus impe//
dimento non effectu aut si te
pro stupro adulterandam tradideris
propter causam tantum quod dicta est de//
sponsum adipisci. Si uero dico
si consensum bonum matrimonii et sit
honesta tunc contrahit matrimonium
et sponsalia tamen forte conditione

et non stante tunc Super hoc
est quod contractus condonatus sicut contra
conditiones licite et honeste. Sed
conditio de futuro possit non
euenire. Et consensus de futuro
potest desinere talis aut contra
eum propter adimplendum matrimonium quod
non est impossibile in pendente suspenditur
ut tunc. Si autem conditio est
turpis et inhonesta ut consentio
tecum si furtum feceris habetur
pro adiecta et stat matrimonium
propter fauorem consensus. Ista plenius
Extra de conditionibus appositis c. //
matrimonii tertio. Item ad primam
questionem dico quod matrimonio completo
propter tertiam formam contractu baptismi
efficitur inclusio non potest matrimonio
astricti. Quarto quod uolunt supplicis
certificant personam consensu contracto
aliquem sicut filium esse tunc
sicut autem contractu. Dico quod in baptismo
non est proprie matrimonium sed adoptio
sicut autem bene monuit sicut de//
uoluntarie in adoptatio quod
irritatione matrimonii condemnatur
sicut usus communis per adoptionem
sicut non per desponsationem. Ad aliud
dico quod in inductione precedit
initio et de inuoluntario et
eiusdem inuoluntario quod sponsum
sicut uolens dimittere sicut stultum
resistit fortiter aut si in apostata
dimittere sicut forsitan posse
quere illud aliquid assentit
et ideo non potest de inuoluntario
coactione proculdubio sicut illa
que est preuenta et terroris

uel ad aliud dico quod illud tenet propter
expositionem de debere diuortium
uel aut demonstrare et ad illud
quod adducitur de filio dico quod ita
licet unus cum alio sicut unus contra
non est contrarium. Unde id Pauli
filii obedite parentibus uestris autem
quo addit quod amorem uestrum tenere
filii obedire patri quod autem ad//
ducitur de matrimonio spirituali non est
simile quia uero tenetur ad utraque
sicut tenetur propter filium ad//
mittere carnale ergo
sicut spirituale propter filium doctrina
matrimonii spiritualis et de gratia
quod hic est contrahentes inue//
niri. Concedo tamen ibi

Quarta Questio. Queritur
utrum ad contrahendum ma//
trimonium requiratur consensus
sequens. Item non
requiratur sed apprehensionem. Ut
Gen xxix de Iacob et Ra//
chel non consensit in excusatione
recedentis ad Rachelem et
tamen credebat esse matrimonium. Aliquando
sola tenetur sicut sufficientem
et si eum consenserit pignus//
tamen tamen non proprie quod non
admirabile quod sollicite aliquando
promisit ad Rebecca. Rachel dico
sicut Gen xxix consensit et//
erat benedixit Iacob recedens
ipsam esse sponsam et ita postea
dixit benedixi ei cui tempus ibi//
dicitur si aliquid impositum. Ad quintam
reddens recens baptismi conditionem
sicut baptizatur aliud ratione baptismi

in errore ibi non impedit contra
sicut tunc hic Christo plus consensus//
tunc morat matrimonium coniunge
consensu legem aliam de pena sicut
Sed apprehensio erronea quo
ad illud matrimonium si sequitur ita
quod primo non impedit contractum
matrimonii in non errore in quantum
sicut notandum est sicut insti
Uenditio quod in contractibus et dona//
tionibus ut dictum est ad ratam
et liberum et uoluntate ut dictum est
impreditur cum ignorantia
et maxime in quibus
requirit adiectio uoluntatis tamen
uoluntarium secundum Damascenum et Thomam
et secundum Augustinum inde dicitur
est in matrimonio aut uoluntate impli//
cita cognitionem Thomas contra
ergo quod error sine apprehensione
errorem quatenus adiectum con//
trarium rationem posse ad
contractum fieri contractum
Sed autem magis alias de
contractu dicere expresse per naturam
quod hic per naturam perire tu illa
alia quod per naturam personam putat esse
liberam. Tertia expresse
ut si per naturam consentiens personam
eius credat aliam personam esse
sicut contrahit non tamen matrimonium
non sicut contrahat quod in re
recedit non contendit de quo sicut
alii contendit recipere despon//
satione patet quod impedit dicere
decretum et traditionem
ut si credens autem extendere
credidit contractum contra sicut

adde

Notandum

Per gratiam

2a conditio

intelligitur quod dedit potestatem sui
corporis si alius dedit alias
[illegible] sit. Secunda conditio est hic [illegible]
quia hic est permutatio potestatis
corporum suorum cum non possit dare
potestatem sui corporis alteri post iam datam
et ideo ista [illegible] [illegible] eius
et parentibus non [illegible] [illegible]
[illegible] cum aut [illegible] potestate
sui corporis [illegible] potestate corporis quam
suum non habet [illegible] [illegible] et multa
[illegible] [illegible] obligant sed
[illegible] qui est [illegible] conditionis [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] qui est liber [illegible]
[illegible] Secundo [illegible] quod [illegible] [illegible]
[illegible] [illegible] non impedit
[illegible] [illegible] [illegible] ut suum [illegible]
[illegible] [illegible] quando [illegible] [illegible] liberum
[illegible] si quis [illegible] [illegible] liberam
[illegible] [illegible] [illegible] [illegible] [illegible]
impedit si [illegible] sit ignorata [illegible]

3a conditio

[illegible] conditio [illegible] est [illegible] [illegible]
quia si [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] est [illegible]
[illegible] quia desistit [illegible] principali
[illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] ut quia [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] ut [illegible]
bona quod est mala [illegible] pulchra
quod est [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] Et [illegible]
[illegible] quod iam [illegible] [illegible] [illegible]
[illegible] est [illegible] et [illegible] [illegible]

[illegible] [illegible] [illegible] Si vero
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] sunt [illegible]
[illegible] [illegible] [illegible] [illegible] est
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] Si
vero [illegible] sit [illegible] et
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
Sed [illegible] [illegible] [illegible] [illegible] [illegible]
dubia [illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
alia persona [illegible] [illegible] [illegible]
[illegible] obligat [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] tota causa [illegible] [illegible]
[illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
fornicationis et forte [illegible]
[illegible] [illegible] [illegible] est [illegible] [illegible] [illegible]
[illegible] [illegible] reddere debitum [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] est [illegible] [illegible]
[illegible] [illegible] quia [illegible] [illegible]
[illegible] fornicationis [illegible] [illegible] [illegible]
[illegible] persona iam [illegible] [illegible]
[illegible] [illegible] quod [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible] [illegible]
dat [illegible] sit [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] sit [illegible]
[illegible] [illegible] [illegible] [illegible] Sed [illegible]
[illegible] [illegible] quod iam persona [illegible]
[illegible] reddere debitum [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] fornicationis ut
dictum est [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] fiat [illegible]
illa [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] aliquem actum [illegible]
sit [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] quod [illegible]
[illegible] est [illegible] [illegible] [illegible] [illegible]
quod [illegible] [illegible] [illegible] [illegible]
quod [illegible] [illegible] [illegible] et
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] Si [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] fornicationis
et [illegible] [illegible] [illegible] et multo
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quia forte
ille [illegible] et [illegible] est quod
[illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible] et [illegible]
ita ut [illegible] [illegible] [illegible] [illegible]
ut si [illegible] [illegible] [illegible]
[illegible] In magna [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
Sed [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod [illegible] illo
[illegible] [illegible] [illegible] Item [illegible]
si quod [illegible] reddat ut petat
debitum quia fornicationem [illegible]
[illegible] [illegible] est si quod [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] ut si reddat [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] quia con-
[illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible]
quod [illegible] est et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] Sed esto quod [illegible]
medio [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible] est [illegible]
et [illegible] [illegible] [illegible]
[illegible] si debet est [illegible] [illegible]
satisfactione [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] quod si [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
quia solent [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible] [illegible]
[illegible] si [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] non est magna
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] uxor eius et [illegible]
[illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] quod fuit
[illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]

[illegible] [illegible]

esse iuste [illegible] et ita fieret
istam [illegible] primo ab hore
et humana cautela extorta
dedisset [illegible] [illegible] mixtas
assensu [illegible] esse [illegible] primo
tenuit tamen si maneret [illegible]
[illegible] erit [illegible] [illegible]
[illegible] dico quod non est [illegible] de
[illegible] [illegible] collato
[illegible] est [illegible] [illegible] et
[illegible] error quod [illegible]
[illegible] intendat [illegible] [illegible]
illi [illegible] quod [illegible] est [illegible]
impediens collacionem aliorum
[illegible] sed hic [illegible] quod
impediat [illegible] primo [illegible]
quod impedit [illegible] donatus
faciendo illi [illegible] aut donare
illud quod hic dat [illegible]
[illegible] dico quod [illegible] [illegible]
[illegible] est [illegible] [illegible] [illegible]
eius [illegible] [illegible] [illegible] [illegible]
[illegible] impedit [illegible] [illegible] [illegible]
esse de [illegible] [illegible] [illegible] [illegible]
insolubile [illegible]

Secundo queritur utrum [illegible] inter
mariam et joseph
fuit verum matrimonium
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
velle [illegible] dampnabile est
[illegible] [illegible] [illegible] [illegible] quod
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] maria [illegible] lege
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] joseph erat [illegible]
[illegible] [illegible] [illegible] [illegible]
quod esset [illegible] [illegible] [illegible]
[illegible] [illegible] maria [illegible] erat

[illegible] [illegible] [illegible] cognata eliza
beth [illegible] primo [illegible] [illegible]
[illegible] [illegible] ad [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
matrimonialem copulam [illegible] ad
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] copulam [illegible]
[illegible] [illegible] [illegible] [illegible]
virginitate [illegible] [illegible] est
[illegible] [illegible] et [illegible] [illegible] [illegible]
primo [illegible] esset desponsata
[illegible] [illegible] [illegible] quod maria [illegible]
virginitate [illegible] [illegible] [illegible]
beata virgo debuit [illegible]
[illegible] [illegible] dicit [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] aut
[illegible] [illegible] [illegible] [illegible] ad
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] aut ex voto [illegible]
virginitati [illegible] voto [illegible]
virgo virginitate [illegible] [illegible]
[illegible] ex voto [illegible] [illegible] quod
[illegible] [illegible] [illegible] quod [illegible] maria
et joseph fuit [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] fuit [illegible] [illegible] [illegible]
qui erant in lege [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] erat [illegible]
et [illegible] erat [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] erat [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] remansissent virgines

et [illegible] [illegible] virgini fuit datum
speciale mandatum [illegible]
do [illegible] joseph et adhesit
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] ut joseph esset testis
virginitatis marie Secunda ut esset
[illegible] [illegible] virginis et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod christus voluit in
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et
herodi [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] lege [illegible]
[illegible] virginibus [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] Sed quo [illegible]
[illegible] virginitatis et [illegible]
[illegible] [illegible] [illegible] [illegible]
primo quod beata virgo [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
honestissima [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quod joseph [illegible] [illegible]
volebat marie [illegible] [illegible] esse
[illegible] [illegible] [illegible]
Sufficiat [illegible] [illegible] quod beata
maria [illegible] virginitate
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ad [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] voto

[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] deo placeret [illegible]
[illegible] [illegible] adducta [illegible] [illegible]
[illegible] [illegible] voto [illegible] quod [illegible]
[illegible] virgo vovit virginitatem
[illegible] [illegible] [illegible] [illegible] [illegible]
interrogatus ad gabrielem [illegible]
fiet istud quoniam [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] esset [illegible] quod [illegible]
[illegible] [illegible] esset [illegible]
[illegible] Secundo fuit [illegible] et
[illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible] se [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] veniet [illegible] quomodo
[illegible] potuit [illegible] [illegible]
[illegible] [illegible] quod [illegible] [illegible]
[illegible] est mutua donatio [illegible]
[illegible] ad [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] voto [illegible] [illegible]
[illegible] [illegible] fuit [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] primo
quod [illegible] [illegible] joseph
noli timere accipere mariam
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
quod ipsa [illegible] [illegible] [illegible]
[illegible] desponsaretur joseph fuit
[illegible] [illegible] Noli [illegible]
timere [illegible] [illegible] [illegible]
esse [illegible] [illegible] [illegible] dabit tibi ad

custodiam et testem integritatis
tue qui tecum pari voto contineat
et in celestis in adversitatibus custo//
diam coniunctionibus absque ini
cis omnis e de ita probate qui
sunt e secundum ita joseph [illegible] prius
angelicam totum sanctus e vocema//
re quod fuit in iuncta omnia ad//
inviolabili et ineffabili conceptione
filii dei Item per ponere si quis
contraxisset sponsalia cum marito
et post a vovisset castitatem cum con//
sulendo sit quod confirmatis spon//salia
consentiendo de facto ut firmaret fide
matrimonio et tamen ut firmaret votum
statim cum consummatum deberet
ambulare ad religionem et ut illius
dare potestatem sui corporis conivgi
ad consentiendum carnaliter ratio et
tamen non intendebat unquam dandi
corpus quantum e ex parte sui et si
hoc quod firmat illud unquam peti//
turus Item ubi et mulier magis
licet per consensum suum firmet pactum
coniugale omnis petiturus Item ad//
ultera hic potestate alterius coniugis
quare [illegible] fuit sed data et
indeserviliter tamen cum hic erit
hoc quod ubi tertio alius et
promisit sui et pactum per sponsalia
[illegible] ubi promittere potestate data
in matrimonio et mulier magis sed
per aliqua tamen honestatem hoc
quod assumpta tamen pro ut dictum
quod ita aliquis intelligi debeo//
lentibus omnibus secundum gratiam
legem cum est dicit de qua constat
certum quod unquam corpus petiturus ad//

Item actu petere ad quedam
potest dici quod ita lex fuit data
proprie filiabus sanctus phat et hoc ne
transferret possessio de tribu in//
tribum videlicet ideo mulier Ultimo
in uno obligarentur ad illas ad//
quas devolvebatur hereditas
propria per ad illas devoluta
fuit hereditas propria et per
mortem fuit Quia autem
fuit per heres in [illegible] pro//
miscue alii aliis tribus alter
potest dici quod maria fuit de tribu
tribum scilicet iuda et levi de//
tribu iuda ex parte patris et
de tribu levi ex parte matris Si
eadem genealogiam describit ex//
mathan filio dd per phylacte//
riis de [illegible] 9 ubi ponit
genealogiam christi ad generationem
aut primum fuisse de tribu
levi quod sic fuit de mana
et posito de elizabeth cognata
eius maria Quod et probatur
de genealogia Unde potest dici ut pri
probat et eorum deducit ipsum
fuisse de tribu iuda dedicado
deducendo Joseph ex iii tribu
est mo dicit de maria et
de tribu et homo cum
coniugium deus super est [illegible]
ad ii dicitur quod consensus ille
e contradictione contractus status
corporis ad ipsum preeundum
et per finis incursum [illegible] spectatur
sed hic fuit certitudo quod nunquam
peteret nisi angue

Questio 31 de proc//
rint tria bona
matrimonii scilicet fides
proles et sacramentum Et
non quod sacramentum e forma matrimonii
bona et non e aliis bonis
bona Item non adultera
et adulterium e contrarium sed
tamen non e bona fidei si fuit
in statu sed est sacramentum Item
tamen non e bona plus Quod tamen
e quod contra hic dicitur aliqui//
quibus quod contrahunt matrimonium
obligat se ad copulam carnalem
saltem sibi debitorum si petatur et
certitudo debito petendo in pruri//
tu perinenti habet Quia illo a facto
applicatur hic magis bonum scilicet
usu uxoris dicte Ideo li 1 confessionis
quod tertius actu firmat [illegible] confessio
fuisse papetus et Eugenius [illegible]
tei voluntatis qua [illegible]
temptationibus [illegible] e in//
nomine ipsa tempus quo [illegible]
preveniret doctrina ponere omnes
antes excusat uxoris eius ad
primam etatem cum de [illegible]//
ligere ad ad [illegible] tamen ma//
lum post non sit [illegible] aliquid
recompensetur in eius de con//
here contrarium est petitur sequuntur
bona et superstitia istud car//
nalitatis uxoris et ita dicit
assumpsit excusationem istud
actum carnalem et hec per
bonum fidei proles et sacramentum
Contra istum positum dicit

ista bona omnes [illegible] precedenda in//
matrimonio ut excusent istud propria//
tionem cum uxore que ponunt si
ius et [illegible] privatione sed nisi [illegible]
et privato uxoris uxoris ponunt
hec tria bona in uno [illegible]//
nenda ad excusandum actum quod
id non e causa aliud quo po//
sito et remoto causa [illegible] secundum a de
ter quod quia in statu innocentie
fuisset cum matrimonium sive ista
tria bona et tamen non fuisset
carnis actu tum privato nisi
uxoris non fuisset illa bona
tum ad excusandum actum istud
Item in matrimonio mariae et Jo//
seph non oportuit ponere ita ex//
cusationem nec ubi in matrimonio
spirituali non per voto castitatis
coniugio ubi e causa matrimonii
et tamen non est excusandum actum
ubi non [illegible] sit futurus non ergo
illa bona sunt causa matrimonii
et non causa est excusandum actum
prius quod non est ea ponere illa
et prius propria excusare actum
carnalem sed ut perficiantur ipsum
matrimonium sed est non totum
matrimonium ut dicit 2o contra
magis [illegible] bona uxoris
personam est parata illa
et hoc tamen antiquum Unde
secundum pactum 20 ethicorum felix
non est [illegible] secundum ame//te
vite scilicet [illegible] extensive
quod sompinus dicit dicat et firmat
cum i de actu [illegible]

requirit in sim retam rem debe-
re se exponere proprio incipi-
ent bona concupiscentia et
maiora ipsis quod tamen gene-
ratur ¶ Ad illud in ultimo rationi
dicitur quod bona concupiscentia sunt
minus nec et confortativa organorum
quam sunt proprio corpori [illegible]
rum [illegible] debilitativa corpo-
ris impedimentum intellectus
quia intellectus impeditur sensitiva
impedita ¶ Et dicitur ad istam
aliam rationem quod non patitur quod
proprie decipitur in proprio [illegible]
actu patitur quia per proprium vi-
gorem intellectus sed per istud
actus debilitatur seu obtenebratur
ita quod peractu illud non tamen per-
natur quis in bono sed ipsum actus
actuali sed non hoc addit [illegible]
[illegible] apti ad id bonum et
ad alia per actus illud ¶ Aliud
autem est in proprio aliud [illegible]
ad quem [illegible] secundum [illegible]
[illegible] mathematice [illegible] depositi ¶ [illegible]
[illegible] bonum et perfectum dux ad
est perfectio rei sed extrinseca quia est
eius forma [illegible] proprio ipsius rei
essentia ¶ Et perfectio extrinseca ut
finis rei extrinsecus [illegible] rei
dux esse finis sed propinquus et
remotus et [illegible] remotior
est [illegible] prior [illegible] ordina-
[illegible] ¶ Ad propositum ergo dico
quod animi [illegible] medium [illegible]
[illegible] [illegible] gratia sic [illegible]
[illegible] ipsum [illegible] medium est indis-

solubilitas [illegible] illarum
suo [illegible] et de hoc dicitur
[illegible] quod sit indissolubili-
ter [illegible] et [illegible] hoc ergo
[illegible] et sit acceptum est bonum
medium quia eius [illegible] et [illegible]
perfectio hoc autem [illegible]
indissolubilitas ordinatur ad actum
[illegible] [illegible] reddendo
sed et non aliud tamen ad finem
propinquum si salte petere que
petitio iusta est [illegible] obligatione
[illegible] et ergo [illegible] medium fides
[illegible] fidelitas [illegible] [illegible]
[illegible] obligationem [illegible]
est eius bonum extrinsecum sed
[illegible] propinquius ¶ Alterum [illegible] actus
ordinatur ad [illegible] parte [illegible]
et religiose reddendo [illegible]
religiose [illegible] si [illegible]
est bonum [illegible] medium [illegible]
finis [illegible] sit [illegible] patet [illegible]
[illegible] ut hic [illegible] est bonum
medium [illegible] et [illegible] fides
[illegible] fidelitas [illegible] reddendo [illegible]
actu debito est bonum eius et
finis propinquus et [illegible]
bonum autem plus est bonum
eius extrinsecum et finis ultimus
quo [illegible] finis et
[illegible] ¶ Illa ergo tria sunt bona
medium et sunt perfectio eius [illegible]
[illegible] [illegible] ¶ [illegible]
est perfectum et [illegible] definite
[illegible] est [illegible] medium ¶ [illegible]
est [illegible] quia hec tria sunt
[illegible] [illegible] [illegible]

esse bonum [illegible] ratione
[illegible] et illud est dissolubile
[illegible] religionis [illegible] extra
de regularibus [illegible] bonum
[illegible] esse [illegible] est impossibile
ad [illegible] plus [illegible] bonum sed
[illegible] fides [illegible]
adulterium [illegible] [illegible] sed
ut hic [illegible] est bonum medium
[illegible] est [illegible] est [illegible]
[illegible] et [illegible] acceptum [illegible]
medium ut est [illegible] dictum
et [illegible] est quoddam [illegible]
extrinsecum quod [illegible]
[illegible] ¶ Illa autem indissolubilitas
[illegible] esse [illegible]
[illegible] est [illegible]
[illegible] qui digne [illegible]
autem illa indissolubilitas hoc enim
est [illegible] bonum [illegible] medium
[illegible] ita quod [illegible] est esse
medium [illegible] indissolubilitate
¶ [illegible] bona [illegible]
medium [illegible] ibi [illegible] sed
[illegible] [illegible] [illegible]
[illegible] bonum [illegible] fidei [illegible]
[illegible] reddendi [illegible] quod
[illegible] est et [illegible] dando [illegible]
[illegible] est [illegible] [illegible]
et [illegible] est [illegible]
[illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] et ideo non [illegible] fidem
[illegible] [illegible] ¶ [illegible] bonum sed
[illegible] est [illegible] [illegible]
[illegible] sed si [illegible] quod [illegible]
[illegible] et religiose [illegible] igitur
est [illegible] et [illegible]

non impedit illud bonum [illegible]
[illegible] ¶ [illegible] ad actum [illegible] in-
[illegible] dum [illegible] quod in-
dissolubilitas [illegible] usque ad
mortem quod autem ¶ Et [illegible]
[illegible] est [illegible] est [illegible]
[illegible] [illegible] illi [illegible]
[illegible] de morte [illegible] sed [illegible]
de morte [illegible] [illegible]
[illegible] [illegible]
[illegible] autem [illegible] religiosa
[illegible] [illegible]
quod [illegible] dux est medium sed [illegible]
quod est [illegible] [illegible]
et spirituale quod [illegible]
[illegible] est ¶ dux mortis [illegible]
[illegible] [illegible] et [illegible] spiritualis
qua quis moritur [illegible] [illegible]
[illegible] religionis et
[illegible] regula [illegible]
[illegible] moritur [illegible]
[illegible] [illegible]
[illegible] obedientie [illegible]
quod [illegible] [illegible]
[illegible] [illegible]
[illegible] ad corpus [illegible]
[illegible] [illegible]
[illegible] ¶ [illegible]
quod per [illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
spirituale [illegible] [illegible]
[illegible] que est [illegible] spiritualis mors
¶ [illegible] si [illegible] [illegible]
dissolubile [illegible] usque ad
mortem corporalem ita quod si [illegible]
[illegible] [illegible] dissolveretur

adaptatio

dux est medium

dux mortis

3m

rtm

vinculum inter eos etiam per professionem
religiosi [i.] solum illud enim in-
dissolubilitatis illa competit contractui
non ex genere contractus sed quia
dato mutuo sed ex parte radicali
superaddita quod non est probabile
quia iste casus non est aliquo modo
contra nostram non ponens aliquam novam in-
dissolubilitatem obligationis in-
ducit Aliud alii dicunt quod per pro-
fessionem religiosi non dissolvitur
vinculum coniugale Sed contra
quia sponsi contrahunt consanguinei post
alterius orbis et erit uxor eius
et ita erit primus uxor duorum
Concedunt isti quod hoc non est inconveniens
ita sicut quod cum compater spiritualis sit
vinculo spirituali alicuius spiritualiter
et carnaliter erit aut filius inconveniens
quod erit duorum simul carnaliter
Sed contra hoc sequentur isti similiter
gaudere quod una possit esse uxor
carnalis per illo vinculo spirituali
et sic mulier enim non debet
cadere sed quod una alterius
mutantur in isti commutationem quod ibi
resistit et ordo cum quod illa
cum ea radicalis quod sit alicuius novam
infirmam continuationem fundatio
dicit post quod in matrimonio rato est
si contrahens intendit non continere
intra contractum ad religionem
ad religionem curialem ad conventum
non est tamen accommodatum
sed est permutatio status ad
ipsos solum sed per professionem alio
quia non erit enim contractus non
licet et excusare ita omnis vinculum

indissolubile ad praevenire malum
alterius coniugis per praevaricationem
seu relaxationem ius constituit
hoc est per indissolubile cum ad quod
ipso indissolubile induxit Dicit
ius repelitur per legem suam repudium
Moysaicum ipse relaxavit ita
indissolubile quod alter coniugum con-
venit ad religionem Contra cum
uxor acceptasset per mutua
rata non consummata licentiam
alterum ad religionem alter contrahente
cum esset non iure habere contrahentes hoc
autem est contra Ad secundum
apostolum cum multis. Unde secundum est et cum
ex iure civili sed sic patet Alexius
et tunc plures sunt tamen isti indubie
Alioquin esset simul uxor duorum
sed tamen ad quod ipsius vinculum
ad primum dispositio est praerelaxationem
quod cum aut prae se per se vel
per illam modo eius ex indissolubile
quod est per modo et per potestatem alterius
ex quo non restat specialis re-
laxationem legislatoris hic aut
relaxatio quod non sunt quia
est obligationem ad minus bonum
consultum ad obligationem ad maius
bonum alterius quod sic convertere
mutari professio aut monachi
quoniam est obligatio ad maius
bonum quia ad spirituale Contra et
perfectio castitatis intelligitur cum
tum per carnem actus radicat
si non possit continendi praecavens
et illud protulit statim coniugali
Dicit iuris Sed contra hic quod per re-
pudiaverit per regimen alterius quod

sit certe replicat unde hoc capitulis
divisa tamen coniugale dicit hic
sanctus remissum etiam forsan
primum. Ad Secundum Dicit quod arguebam
ita indissolubile innovatur contractu
etc. Ad tertium sancti dico quod in
lege nostra fuisset indissolubile etiam
tunc non fuisset ipse sanctus
maxime contractum merito etc.
Et potuisset illud indissolubile principii
Contra per legem huius cum sa-
cramento adiunxisset illi contractum
potuisset esse sacramentum adiungere con-
tractum casus tamen contra non vellet
Christi contractum indissolubile si non
fuisset repudiatus Moysaicum
approbare Contra secundum ita indissolubilitas
adhuc propter deficiente debere
fieri per semper et obligationem
debere semper per semper nisi
inferret aliquo tamen dissideret
adhuc esset consonat eo malus
quia Contra secundum etc. quod tamen
habentes perpetua contrahere re-
pugnantem alterius illarum tamen
bonorum non sequitur per contrahere
primum accipio te in meam de-
inde cum adest magis placet
Contra secundum accipio te in meam
ita quod non teneat tunc prestare
fidem non tamen ad reddendum
non tamen volens non velle tamen
possum pro libito alteri coniugi
Contra tertium accipio te in meam
sed proveniens veniens sterilis
et consentiens mutuo compromissione
vivimus tamen contrahere ex tunc
est quod ad istam contractus non potest

contrahere quia alter teneret non publica
conditione si impossibile est quod possunt
matrimoniales publica conditione quae
repugnat contractui matrimoniali
primo in ..... est quia non potest
sic dicere tamen propter propter superiorem
Philosophum aut superiorem est de-
ut placitum publicis conditionibus quia
propter placitum debet fieri
sub conditionibus oppositis et ergo con-
trahens acceptaverunt non solum
contraxit matrimonium si est obligatum
ad reddendum alteri ipsius com-
muto contractum in contractu Rursus
illud tertium enim si contrahi po-
test quia conditio contraria executioni
bonae fidei et plus conditio tol-
leret obligationem et per consequens
essentiam matrimonii Aliud tertium
quod ponit conditionibus deceptio nulla
quod omnibus bona matrimonii bonum
facti est dignius sed loquendo
de cum libero matrimonio secundum quod
est quaedam contractus bonum plus
sed obligatio est primum bona
Contra ex quo plurium bonum facti
respicit primum Contra per quod
bonum plus sit sed tamen si
enim bona fidei et non
aliam rationem ut patet in .
habito ergo quod possunt tria
bona matrimonii et omnino hic est
Ceterum dubitatur utrum actus
copula carnalis exigit propter
per illa tria bona adhuc dicitur
sed enim quod cum coniuges

convenit causa plus peccando
vel ut si amicitie fidem servet
[illegible] est minus actu peccatum
[illegible] vincentis se [illegible]
ut si deesset aliqua alia [illegible]
[illegible] temporis [illegible]
ipsa res non est bona [illegible]
ad effectum [illegible] non est mala
[illegible] matrimonii [illegible] est [illegible]
iuges conveniunt propter aliquam
dictam causam [illegible]
non esset bonum [illegible] non esset
bonum hac ad [illegible] secundo
[illegible] actus mali [illegible]
[illegible] sub precepto [illegible] matrimonii
[illegible] plus [illegible] fidem [illegible]
[illegible] coniuges [illegible] sub precepto
[illegible] et multiplicatum
[illegible] debitum reddat [illegible]
[illegible] et uxor [illegible]
est peccatum [illegible] est peccatum [illegible]
[illegible] lege [illegible]
[illegible] humana [illegible]
coniuges [illegible] aliquam dic-
tam causam [illegible] est contra
[illegible] legem [illegible] humanam
[illegible] lex
[illegible] contra [illegible]
[illegible] est peccatum [illegible]
[illegible] matrimonii
[illegible] aliquis [illegible]
[illegible] quo [illegible]
[illegible] ponit
[illegible] peccatum [illegible]
[illegible] malum
[illegible] ulterius [illegible]

2o ar.

1o ar.

[illegible] actus [illegible] peccatum [illegible]

in actu matrimonii [illegible] de bono
prolis et fine reddendi debiti [illegible]
[illegible] excusari [illegible]
[illegible] coniuges [illegible]
[illegible] causa [illegible] delectationis et
propter vitandam fornicationem [illegible]
conveniunt [illegible] delectationis
[illegible] querere [illegible]
[illegible] delectationem [illegible] est peccatum
mortale [illegible] delectationem [illegible]
[illegible] est peccatum veniale [illegible]
[illegible] est [illegible]
[illegible] querere [illegible] de-
lectationem [illegible]
[illegible] ingressionem
[illegible] est peccatum mortale [illegible]
[illegible] delectationem [illegible]
[illegible] quo [illegible]
est peccatum mortale [illegible] ergo [illegible]
[illegible] delectatio [illegible]
[illegible] matrimonii [illegible]
[illegible] quis
[illegible] delectatio [illegible]
[illegible] et idem [illegible]
[illegible] non esset [illegible]
est peccatum mortale [illegible] actu
[illegible] limites [illegible]
est peccatum mortale [illegible]
delectatio [illegible] non [illegible]
[illegible] voluptas
que de [illegible]
[illegible] ergo
[illegible] delectatio [illegible] limites
matrimonii [illegible] querere [illegible]
[illegible] est peccatum veniale
[illegible] est [illegible]

non est [illegible] peccatum solum veniale
sed querere actum propter delectationem
[illegible] est [illegible]
et [illegible] est [illegible]
delectationem [illegible] actu [illegible]
propter delectationem et ergo [illegible]
peccatum [illegible] veniale [illegible]
[illegible] coniuges [illegible] propter for-
nicationem vitandam [illegible]
aliquis [illegible] peccata [illegible]
[illegible] vitare fornicationem [illegible]
[illegible] coniuge [illegible]
[illegible] potest [illegible]
hac [illegible] reddere debitum
[illegible] et
[illegible] debent
[illegible] et [illegible] potuisse
[illegible] debitum [illegible]
[illegible] coniuge
[illegible] temptatio [illegible]
[illegible] et [illegible]
fornicationem [illegible]
[illegible] fornicationem [illegible]
fornicationem [illegible]
[illegible] est peccatum [illegible]
mortale [illegible]
[illegible] et
[illegible] peccata [illegible] moralibus
[illegible] actus [illegible]
[illegible] causa fornicationis [illegible]
vitandi [illegible] peccatum
[illegible] actus [illegible] non est [illegible] malus
et [illegible] bonum
[illegible]
non est peccatum [illegible] actus [illegible]
[illegible] malum et [illegible]
[illegible] bonum [illegible]
propter fornicationem [illegible]

[illegible] est peccatum [illegible] plus [illegible]
[illegible] petens debitum
[illegible] fornicationis [illegible]
non potest [illegible]
[illegible] non
est [illegible]
[illegible] matrimonii [illegible]
[illegible] fornicationis [illegible]
[illegible] peccato [illegible]
[illegible] non amore prolis [illegible]
[illegible] fornicatores non possunt [illegible]
[illegible] non [illegible] quo [illegible]
[illegible] propter fornicationem vitandam
[illegible] et debitum [illegible]
hac [illegible]
[illegible] duo [illegible]
[illegible] coniux [illegible] uxor
[illegible] causa fornicationis vitande
[illegible] possit vitare
alias [illegible]
[illegible] et [illegible]
vitando colloquia [illegible]
[illegible] actu [illegible]
[illegible] aut
vitare fornicationem [illegible] delectatio
[illegible] peccatum veniale
[illegible] voluptatis [illegible] que
[illegible] consuevit
[illegible] et attinget [illegible]
[illegible] satisfacere
[illegible] et [illegible]
[illegible] et [illegible]
delectabile [illegible]
[illegible] alias impedit [illegible]
expedit [illegible] et
aut extinguendo [illegible]

3o

1a questio

fecti et nesciente ledente ipsum
peccat non tamen semper sed quod aut
ipsum extinguere sicut tac medium
adhuc ingentis per impotentem et
sic aut velle prima oppositione Tertia
quando si exercet actu illud ad
vitandum fornicationem in propo
sito quod est actus delectabilior pro se
quod non tempore nec offert per modum
melior ita quia tunc non voluptas
amore sed amore vitande libidinis
causa plus non per hic vitare
quod non sic loquitur dominus mulieri
exerce amborum scelus et expertus
est per de ea sepe temptatum et
cum solum est usus non actu tempore pec
cantes dicitur est detestatum tunc
petere debitum consulere et exercere
actum illud ad ea non est peccatum
cum si plus non sperat et di
citur declinans pollutionibus et
sic est devitio diu mulieres per
virtutem eius et reducunt hic ad
bonum fidei quoniam hic non tenet solum
debitum reddere sed etiam vir cum tamen
accidere quod si semper debitum redderet
et ad hoc extraneam accederet ante
magis faceret tamen bonum fidei
tunc si propter hoc debitum petit quia
non exigeret abstinentiam propter fideli
tate hoc facit ut bonum fidei
finit et hoc aut secunda opinio ut
videtur Tertia cum accedens spectans
ad opinionem quod videntur facere tamen
prima quoniam aliqui ad primum dicitur
quod enim est contra quod sic non per
melius et conveniens hoc non
licet non semper sit peccatum eligere

unum bonum aliud eligere non esse
magis et ex hoc non est peccatum
tamen quoniam ad unum sine comparatione
cum amisso eque bono medio
non ledente bonum tamen eligere
voluptatis ad detractio tamen
semper est peccatum quod contra
dictamen esse rationis et est
contrarium Ad secundum dico quod plus
tenetur homo vitare peccatum mortale
quam modo sed in pluribus modis
potest retrahere se ipsum quam aliud aliquem
si vero patitur se ipsum tunc possibile
sed ratio potest et magis eligit
voluntas abstinente tamen potest
Tertio si mulierem sequens in
domo fugiendo et aliis 20 (?) libris
modis rogando possibile potest et
opinio fornicatores Similiter magis
tamen aut pura voluptate quia possibilis
recta est quod potest quod per
quod propter voluptatem efficit hoc
medio alio magis conveniens tamen
Ad 4 si autem adhibita sufficienti diligentia
in regendo et resistendo uxor
adhuc timet mea domi quod libidines
fornicatores mittendi illius
fornicantibus petere remedium
ex illo actu tamen vitat repulsi
que ea mala non petit ut sit
propter illam suscipiendum non potest
maritus sed magis metuere sive
malo que non sit contra pudorem
propter hoc pro illo impedit vero
reddendo debito ut ab aliis
mulieribus possibilis plus exsu
scitur Ad alium dico quod propter
hunc quia hic coniugii sit

precedit hoc non potest non secundo amo
bori amo quod si alteri hoc potest
sit determinatio rationis et quoniam
ad distinctio propter voluptatem peccatum
Ad quartam principalia ad primum
dico potest potentis exercens quod non
propter tria bona sunt meritoria
id est esse propterea excusant co
itum sed propter tria bona merito
sunt comitantia indissolubile tamen
sunt consensu et non est merens
id est bonum alius bonus et
bonum amo illorum tamen bonum
omnia intendit alius tamen hic
suis principaliter et remo
tori seu principalius eadem
potest exigente quod bonum fidei est
semper inobligatione seu mix
tum et dicitur bono plus potest
fidem quod obligatio non est alia
ad bonum plus sed fides quod
si enim ad generationem suscep
tione et religiose educanda
et admixtum procreandum studiose
et ad sic ne enicat si solum ve
ritate Ad 4 est certa intemperantia
ad bonum plus non in actus
coniugalis excusatio pro illud bonum
ut dicitur si forte deus impedit
det fecunditate sterilitatis sed ut
illud est placabile ut intendit
aliquis potentibus in actu sed
alia duo bona excusat et
tunc meritorium est tamen remedi
dium non enim inspirat de
quo semper debitum est

Queritur 32 distinctio quaestio
sunt utrum sit tenetur
reddere debitum petenti

Dico non cum obligatur primo ad
peccatum mortale sed reddere debitum
est peccatum mortale ut quod probatur
per maximum bonum sed ipsum non
quod est maximum bonum quam bonum
virtutis sed probatur per bono
virtutis est peccatum mortale primo probatur
per ipsum rationis est peccatum mortale
quod in coniungit in actu vero tamen
quod si non erit conceptus meritorius
ut actus est peccatum mortale sed
in per se licentiam eidem et
corporis exercitu pro proprio non liber
est sed quod tamen licet pro se tamen
meritorius est actus propter illum 2a
similiter meritorium amicus conse
quitur si intrat religionem non
tenetur reddere debitum et tamen
est coniux et si dicitur quod non est
meritorius mulier Contra omnis pos
sessorum non est per mutuum et
tamen in tempore non tenetur reddere et 3a
3o per tempore sacro et orationis et
ieiunii non tenetur eius reddere
debitum quod tunc erit indispositus
ad eo tamen agitur sic habere
mulierem 4 nullus indigne sit
ad eucharistiam per actum ipsum ad quem
non obligat 4a si maritus
mulierem sacro non tenetur quoniam
reddere quod malum malum sed
conveniens hoc videt in contractu
licet quod est malum quod opus
admittere et malum conversio
reducitur medium in multis omni
pendet malum in quaestione art quod
Ad tertium primo dico mobile scandalum
omnino ad exemplum et cum
uxori debitum reddat et uxor

2a opinio

ad secundum

ad tertium

primum

2a

tamen

3o

4to

Quarto

erro etiam si qui arte medicine potestate
sui corporis ei dono. Conclud. quod reddere
debitum coniugale contingit per
duos fines scilicet debiti debita in
primitiam est et per primum finem sed
per bonum plus reddere debitum est
dicitur laudabile. Concl. quod ad finem
laudabilem sed ad bonum plus. Pro
quod est ius actus iuste reddentis
alteri suum quod iustum est per cum
finem sed tamen virtute conformitatis
est laudabilis tamen. Tertio sed quod
actus iuste et illud iuste red-
ditum non est iustum ut deceat
reddi non deus dispensavit per
puritate hominis post lapsum propendo
igitur primum bonum laudabile sed
bonum plus et reddendo solum
de reddictione debiti est excelli-
gratiae coniugii. Est debitum quod
reddere ita debiti est actus precepti
cuius ratio est quod sicut est ratio iusti
reddere aliena recipere invito domino
ita ratio iusticie est alienum pe-
tenti non reddere non ratio hoc
legittima excepto habenti secundum
est mortale peccatum et scilicet
Sed corpus coniugis est tamen
alterius quo ad actum (secundum id cor.
4o. Cor.) non habet potestatem sui corporis
sed mulier et econverso coniugem
negat alteri corpus suum quo
ad actum matrimonii petenti cum
non habeat legittima causa ne-
gandi. Est autem debitum peti-
tum expressa via vel per alia
signa interpretative et coniuges

moderate sicut petere mulier est reddere
debitum petenti non subsistit causa le-
gittima negandi ut debitum est
Secundo dico quod est actus precepti
cum explicatur iustitia comuni-
tatem hic erat preceptum secundum quod
obligat semper sed non ad semper
Secundo actus peti et pro esse
bene circumstantionatus et pro eis
iuste non reddere debitum coniugi
petenti et hoc magis dicitur
Quarto si quis commisit ius pe-
tendi eodem cum alio reddere
obligatur. Exemplo fornicari post
coniugium in formicatione coniugum
contraxit cum alio tamen sunt per
incertitudinem non in morte post lapsum
sed si post publice confiteatur
qui alterum repellere et commisit
ius petendi. Et quod sic per-
manet fidem et tamen non est
contra fidem si secunda sibi tamen
eadem ut debeat dicere Laurus
(Cor. 32 dis. 34) Si cuius uterque
lapsus fuit tamen per anima
sui commixta fuit delenda
Sed non habet ius petendi statim
post matrimonium ratum licet adhuc
non commisit quod non dum potest
eo quod post matrimonium ratum licet
adhuc intrare religionem cum eis
statim si ad tempus post post ipso
et deliberare et si tenetur statim
reddere teneretur sic reddere mobile
ad religionem post causam est ut dixi
quod obligatur fornicari carnaliter

ad non reddendum putans ligat
eum defectum proprie debitum, vel in
fidelitatis hic vel magis diligere
propriam incolumitatem quam ad red-
dendum debitum alteri coniugi quod
patet prius exemplo vel sicut sua
inclinat cuiusque communiter
ad individuum conservationem sui
quam continuationem speciei per illum actum
ut et natura quia pertinet ad
conservationem individui non
committere et generatur quia pertinet ad
multiplicationem speciei vel illud
quod propter plus non futurum periculum
est de periculo alterius quod
coniuges non obligantur ad idem
eius quo ad actum generationis ipsius
ipsius conservare et adhuc ceteris
non obligantur ad propter in-
columitate propria sub. Si ergo
reddere debiti vigeat imperium
per hoc non est quis alteri debitum
reddere ut puta quod infirmus
est quod timetur periculum ex hoc de
infirmitate. Quod 2o idem ex
ordine reddit quod ex ordine
caritatis qui habet tenere se ponere
quam alteri sibi vel fornicari
carnaliter tenere non autem secundum
contrarium peccatum est non esse
causa aborsus quam ad reddendum
in debitum ubi ergo est proba-
bile periculum de expressione secundum
est quod nasceretur abortus non tenetur
Et sic etiam precepto hic enim
ago cum plus nasceretur leprosus
quod alias posset periculum fornica

Quod propter satisfacere nolendum melius
ut in pluribus aut puer tempore mem-
strum conceptus nascitur leprosus
Unde non sic non sit in lege mo-
sayca accedens ad mulierem men-
struatam debuit occidi ut morte
infligebatur ibi ius propter mortem
et gravem ut est probabile quod
in lege erat quod est regula
capitulo sic tamen prohibitum est
menstruata accedere. Sed alium
quod lepre non est sanus reddere
debitum quod est contra bonum plus
quod nascitur leprosa et contra salutem
propriam quod contra actum incurrit
lepram cum tamen opposito habet Ex.
de coniugio leprosorum (cap. primo) Cum
habitum mandamus ut uxores viri
et viri uxores quod mutuo
lepre incurrunt sequantur et eos
coniugali affectione ministret et
adhuc eos tamen exhortationibus
amoneat non proponat. Si ergo
adhuc monitum non potest in-
ducat eos ut uterque continent
sinerit est sic in medicatum fuerit
non contempnunt coniuges exigi-
tur causa astringatur. Et tamen peccati
sic vero ad lepram sed contingeat
ut infirmus a sano debitum exigat
carnale generaliter precepto apostoli
quod exigit est solvendum nisi sit
recepti misericorditer nulla exceptione
contravenit. Unde licet coniugi
leprose generaliter sanus tamen lepram dicat

2 cas

reddere debitum statim id est tam
cito tamen prestare quod tempore menstruorum
quia si cito est tunc bonum plus
quam precatur lepram. Tunc magis
esset bonum plus quam nunquam p
receret de prima mulier si propter lepram
actitaret. Hic autem et si non
peccabit tempore menstruorum peccabit
tamen postea tempore conceptum
et hic sponsa sua cum menstru
ata. Sed si obiciatis de periculo
lepre in sponso reddente debitum
possit dici quod multum quamvis sim
non probabile lepram inferri.
Sed diuturna cohabitatio
recipit quod exitus post sponsus in
sui astrictiva esse creditur quod
timetur exiti contrahere infecto
lepre in sponso reddente saltem
ex frequenti redditione quando ex
leprosis petet. Circa dictum Scoti
quod ille eandem penam pro aliis
gravat inferendo ...
unde et aliquibus docet sanitatis
dotes ... ad hostium esse
exprimit illud. Bernardus
sumit dicit quod numquam le
prosi inferent separatim ab
aliis leprosi communiter porro tene
tur petito reddere debitum sed
est cohabitare. Circa eorum
non separatum sed communem aliis
non tenetur cohabitare sed debitum
tenetur reddere. Et hoc viro dicit
quod conjux sanus tenetur conjugi le
proso debitum reddere sed non coha
bitare sed sufficit quod mittat tempore lum

eius ne alias pro debito fraude
tur. Tunc quod in redditione debiti
quod fit ad tempus petito non est magis
periculum infectionis quod tamen est
cum cohabitatione assidua. Hec
ratio tamen non probabilior. Tamen
firmiter dicendum sicut sponsus est
omnino circa ... quod cohabitatione
bitatione ut redditione debiti non
immineat sponso periculum in
fectionis et ita supposito sumitur
contra ... allegatum sed dicit
ipse cum certo aut expectat
redditione imminet periculum
infectionis concedendum est tamen
dicitur ... in exemplo in prima
arte tractatum est et hoc primo
ad arte medicine non est consi
derate sponso et egeno dicitur
cum medium ex contra ...
admittere leprosum imminet
probabiliter periculum infectionis multum
magis quam mulieri si ... pro
sunt cum leproso quod patet quod
magis periculum imminet viro
accedenti ad leprosam quam ad ...
tam leprosam. Sed tamen ...
ad cognitionem leprose imminet
periculum lepre ut dicit ...
quod ipsa mulier ... est efficax
leprosi ... magis imminet
viro periculum infectionis si cog
noscat leprosam quam sane mulieri
si cognoscat leprosum viro et
illud ... dictum est conclusio est
in sententia notabilis ultima

ipse lepre si lex communis est
tamen tenentur infectione ... pro
ter corporis frustrationem dicit
propter quod non ... mulieri sit
infecta viro tenetur debitum
reddere quia reddit viro potest
evadere periculum lepre. Si
non est notabilium infecta
tenere et multo magis ...
viro tenetur in ... periculum
ex redditione debiti imminet
... et ...
impia ... in redditione
debiti quam ... ad peccata
non est periculum ...
est propter periculum ut dictum est.
Ad 3m ... ad primum
... et ad primum pro
batum dico quod ... ipsum
... est maius bonum quam
actus virtutis et ideo ...
quia actu ... se per ...
... ...
... ...
... ...
si actus oppositus actui virtutis
ut quod ... ...
... est ... totum ...
... ...
... ...
... ...
... ad 2m
probatum dico ... quod ipsis
... non licet talis actus
et tamen ... licet ... quod
ipsi ... ... possunt
sed ... quedam actus quo

ipsi dei licentiat eos adsistentes
quedam actu ... adesse
non licentiat si ... est
illa probatio ... ...
... ...
... ...
... ...
probatione ... Ad secundum ... ex
... ...
... Ad 3m dico quod ...
... ...
... ...
... ...
ad idem ... ...
... est quod ...
et post 33 q. x ... uxori
debitum reddit ... ...
... intelligit ... tamen
... ...
... alia causa quod ...
... ...
... de pollutione
nocturna. Sic ergo ...
est sancto tenetur ... reddere debitum
si ... ...
... actus ... deprimit
... ... et reddit
... ad ... Ad ultimum
dico quod ... ...
... ...
... ...
... ...
... ...
non est ... ...
reddere debitum ... et quod

et quod addunt domicelle loci
dicere sicut quia propter actum omil[...]
tum cum [illegible] ancille spalte
publice ut orat [illegible] diuina
spensio [illegible] amitti

Quarta 33 dist. Quia quidem
aliquis sunt licite plures
uxores et post causa
repudium dicit non fuit
licitum plures uxores accipere quia
bigamia est contra legem nec
quod patribus [illegible] non Gen. 2°
erunt duo in carne una ubi ex[...]
pressit deus legem nec deinceps
[illegible] plures quam duo in ex[...]
[illegible] quando in lineam de la[...]
mech qui accepit duas uxores
alii habere quia primus induxit
bigamiam que contra legem nec
sicut inquit sicut ut [illegible]
duos [illegible] [illegible]
[illegible] [illegible] coniugales
equales [illegible] [illegible] quo
ad id [illegible] [illegible] sicut [illegible]
[illegible] et zethura et [illegible]
[illegible] et [illegible] sicut [illegible] uxo[...]
res et [illegible] [illegible]
[illegible] quia [illegible] [illegible] in[...]
[illegible] fuerunt aliqui illicitum
[illegible] de bono coniugali
[illegible] [illegible] [illegible]
[illegible] fuit illicitum quia plures
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] legem [illegible] [illegible]
quia [illegible] [illegible] lege erat prohi[...]
bitum Deinde [illegible] quia licuit
repudiare uxores Deu. 24 dicit
Si accepit homo uxorem et

non inuenerit gratiam ante oculos
eius propter aliquam feditatem scribet
ei libellum repudii et dabit
in manu eius et mittet eam de
domo sua Mal. 2° Malachie 2°
cum odio habueris uxorem di[...]
mitte eam dicit dominus deus israel
[illegible] ex de regul. qui [illegible]
[illegible] [illegible] [illegible]
dissoluitur [illegible] [illegible]
[illegible] consensu mutuo [illegible]
[illegible] dissensu mutuo [illegible]
[illegible] quia [illegible] [illegible]
[illegible] marito [illegible] uxor
adultera fuerit dato repudio
eam dimittere dicitur repudium
licitum [illegible] [illegible]
[illegible] contra legem nec
[illegible] [illegible]
adhesit [illegible] uxori sue [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] repudiata manent uxor
et [illegible] illicite dimitteret
[illegible] ergo quia repudium fuit
licitum in lege moysi [illegible]
[illegible] nullum fuit [illegible]
[illegible] licuit [illegible] repudiare
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
dicunt [illegible] [illegible]

[illegible] dicunt alii quod primi patres
[illegible] habuerunt plures uxores non
potuerunt licite [illegible] [illegible]
uiuente [illegible] qua primo [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] toto [illegible] [illegible]
aliud [illegible] [illegible] [illegible]
[illegible] [illegible] obligari [illegible]
[illegible] [illegible] et [illegible]
si uxor fuit sterilis [illegible]
[illegible] [illegible] et fuit
maledictio ut dicitur Gen. 30 et
Deuteronomium 32 [illegible] [illegible] sterilis
[illegible] [illegible] [illegible]
[illegible] ingrederetur ad ancillam meam
[illegible] [illegible] [illegible]
filios [illegible] [illegible] uxoris
propter sterilitatem eius accepit aliam
[illegible] ~~[illegible]~~
~~[illegible] [illegible] uxori sue [illegible]~~
[illegible] [illegible] et [illegible] et
[illegible] sicut iacob plures
uxores [illegible] de rachel [illegible]
[illegible] ut dicitur [illegible]
[illegible] [illegible] [illegible]
rachel [illegible] [illegible]
antiquorum [illegible] [illegible]
apud [illegible] quia [illegible] plures
[illegible] ad nuptias [illegible]
[illegible] [illegible] [illegible]
ad [illegible] ad ancillam
quando rachel propter sterilitatem
eius ut [illegible] Gen. 30 ad ancil[...]
lam [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible]
ibidem [illegible] [illegible]
[illegible] apud alias plures

[illegible] uxores et [illegible]
[illegible] ut [illegible] [illegible]
[illegible] [illegible] [illegible] ut
[illegible] [illegible] [illegible] [illegible]
[illegible] dicit et habere [illegible] et
[illegible] 33 q. [illegible] [illegible]
[illegible] [illegible] erat [illegible] erat
quia plures [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] preceptum quia [illegible] lege erat
prohibitum [illegible] [illegible]
[illegible] [illegible] licuit [illegible]
[illegible] [illegible] propter sterilitatem [illegible]
[illegible] [illegible] dispositione
dispensatione [illegible] [illegible]
[illegible] licuit [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] dispensatione
[illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] ex
de diuortiis [illegible] [illegible]
licuit [illegible] plures uxores [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]
inspirationem [illegible] dispensatio
[illegible] [illegible] [illegible]

dispensatio [illegible]

rementato potuit ergo deus lege
sua dispensare illa declarando
ut mitteret aliquo rationabili et
racionabili modo racionem quam magis
lionem prinnt revocatione
qui exoblligatione suo autem qui erat
circa moti dimittendi uxores tractandi
nullo modo ut pote qui primo
erant iusticie qui mire erat
ut nullo modo precaret quam
possent quod in sola ecclesia fuisset
sione magis fides et nullus
dominus sicut prius racionabile fuit
dispensatum etiam habere plures
uxores eo autem multiplicandi
tur ut si quis hic non fideli
autem fuit dispensatum de
facto ut possint non abraham
et non alius inter autem non est
dubium habere duas eo quod non
est alegitimatione dispensatio
primo reductio ad legem nature autem
duo modo una per pacem est
in omni est natura quidem
fidelium et fides antiqua est

an bigamus

est dubium utrum bigamus in
baptismo possit post susceptum baptis
ad ordines sacros promoveri
secundum autem est quod bigamus
post cum baptismo post per currit
per peregrinum sicut extra eodem
titulo et primo distinctio 26 capitulo 20
annis intelligitur quod ut eo
quod catherumus ac paganus huius
modi post baptismum eodem ordinandi
reputare et ibidem capitulo maritus
et cum ambo inter deceptionem
cum baptismo iterata similiter

si paganus ordinariis predicta
ignorant sed homicida cum baptismo
sive est post baptismum vocatus sit
bigamus distinctio 26. Sed quis enim ad
sed dicitur quod quod bigamus
cum baptismo non post ordinandus
post baptismum dicitur quod qui ut ante
post bigamus ecclesie asseruit
ordines et cum primo post defectum
facti quod tangit ante et
ambo anlores supra allegatis
cum sacerdos tamen pro ecclesia
talis meritis representat sponsam
Christi non est haec aliquid repugnans
maritus Christi concipiatur ad
ecclesiam et eius autem autem Christi
est continuitas semper unius ostendit
et ecclesia est una omnium sponsa
sicut habentis aliud hic ratio non
recte representat Christum mariti
sed bigamus quod fuit duas
ut uxores qui fuit duorum sed
aliquis repugnancia in quantum
Christi et ecclesie sed quedam tamen
autem id quod non nunc excludit
abscondita per duas opporteret
debet quas dimittere sed debetur
et dico quod non est statuto
ecclesie Sed quod ita pena ideo
debet omnium dimittendi peccata remitti
in baptismo et quod statuto
ecclesie sed bigamia non dimitti
tamen non est ex peccato ecclesie
voluerit ita pena remitti
et ideo non sed tamen ordinatur
esse est ex hoc quod non
enim est ad ordines non potest
dispensare secundum quod esse

hanc rationem quod fuit prohibitum
distraxit tempore duo ille ad
hanc rationem tollit in baptismo et
supposito quod delicto factum prohibitum
sed et postulis cum baptismo spe
securitur per baptismum factum et
tempore non ergo in baptismo cessat
sed tamen in inhabilitatis
de eius cessat et effectus Sed
ista inhabilitatis in bigamo
non cessat quod semper manet
factum facti et significatis quod ceterum
in sacerdote representat sponsum
Christi in operacione ad ecclesiam sed
non tollit effectum non possit
dispensationem Sed circa actum

De repudio

sed de repudio dicta una opponitur
quod repudiatio uxoris in lege
moysayca fuit illicita patet
autem Christi respondentis illud quod
in duo oportet quinque dimittere
fecit uxorem suam excepta
fornicationis causa meruerit et
et quod dimissio dixit meritat
patet ex responsione Christi ad quem
prohibentis non ei obviari Item
ergo mandat moyses dare
libellum repudii et dimittere
autem est adducendo verbis ratione
permisit moyses dimittere
uxores etiam hic autem absoluto
non fuit et ex quo proprietatis
sed in non permisit de permissione
non ut videtur dispensando sed
ut vellet hanc illam
opposito et quod dare libelli et
repudiare uxorem illicita fuit
propter legis ministerie et morys
sed prinicipaverunt legem dei

et in quantum ipse quod dixit et ut
legislatores prinicipaverunt tamen et dei
quod dixit et quod serpet deus sed
permisit deus autem post proprie magis
trinomus quatuor Item supra
non de duarte duo orapori
petendi maior si ita gressio
caudebat duarte est ita sed
non dimittendi uxorem si in hoc
non fuisset propterea non magis
dimississet plures cum legem
moysi in hoc non erat solus
in modo ut lex non erat ipsa
hic opponi videtur ex vero et
si plures uxores cum vero per
mutare fuit ipsa sicut fuit
vita adjutorium plus et in
ipsa per deus dispensat et
opponit bigamus per magis
bonum ut debitum est impleri
ac in ista opposito per magis
malum vitandum quod sit bonum
videtur quod dixit per deus de
pensatio ut fiat tamen ad
tempus donec dispensat ubicumque
et nihil salva ipsi aliquarum
quod non in ipse magis bonum
concessione sed ipse magis mali
sed contrarium duas plures sed nec
sed quamvis magis ad malum
est tamen quod indispensat
quod id est magnum malum
quod pene uxoris amisisse et quod
malum ipse intrare et
et malum tamen sed puta
quod ita ipso gratie discordie et
pugne per vera prima uxoris
eo in pace et nihil gracia
fornicacione dispensatio quod mero
indispensato abundantius in illegem

destruere fornicaria cum credu//
tato plus. Sed ergo sicut deus qui
sicut deus dispensavit cum biga//
mia propter maius bonum ita cum
illa gente in repudio propter maius
malum vitandum. Tunc addita

ad tertia

que addi debebant prima appro...
ad primum dicendum quod christus [illegible] id
perfectione legis sue [illegible] ita
sed quod sicut ipse reduxit matrimonium
ad modum quo institutum fuit ipse
legis nature ut scilicet esset unius cum una
in lege moysaica esset
licita bigamia ita cum redu//
duxit matrimonium sicut perfectionem
[illegible] de lege sua perfectionem
[illegible] fuit de lege nature et ita [illegible]//
tavit de lege sua contra illud
quod licuit de lege moysaica quia
erat accommodata tempori ad//
hoc ad perfectam plus [illegible]
sed [illegible] esset [illegible] moruit
[illegible] et aliam [illegible]//
[illegible] liciti [illegible]
mavit [illegible] reducendo ea que erat
permissa in lege sua ad perfectionem
Ad aliud dicendum est [illegible] eorum
[illegible] ad divinam [illegible]
permisit [illegible] propter hoc [illegible]
quod fuit in promissione et [illegible]
[illegible] promisit [illegible]
moyses hec [illegible]
[illegible] approbavit [illegible]
[illegible] licitum non [illegible]//
[illegible] promissio [illegible]
illiciti [illegible] ad [illegible]
quod moyses permittebat ad//
damnationem et [illegible]

est quod illa [illegible] dampnatus
[illegible] magis [illegible]
quod [illegible] legislator [illegible]
[illegible] in legibus quod multa mala
dimittit impunita [illegible]
nisi [illegible] et [illegible] legis//
lator [illegible] malum permittit
et ita permittit [illegible] permittit
[illegible] in lege sua illud
[illegible] et quod addi [illegible]
[illegible] Unde [illegible] hoc esse
illicitum [illegible] divina [illegible]
[illegible] ut [illegible] relaxo [illegible]
quod aliter esset [illegible] re//
laxatio [illegible]
ergo moyses permisit repudium
[illegible] lege quod
aliud [illegible] si gentes in
ita dura [illegible] fuisset
Ad [illegible] ad primum dicendum
[illegible] quod [illegible] de le//
ge nature [illegible]
[illegible] licitum et [illegible]
[illegible] demonstrata

tertium

[illegible] de lege nature quod [illegible]
[illegible] dicto [illegible]
[illegible] tradit dispensatio et
[illegible] sed [illegible]
[illegible] tradit dispensatio in quo
[illegible] legi
[illegible] et precipue [illegible]
[illegible] de lege nature et bi//
gamia [illegible] et [illegible]
[illegible] adducitur [illegible]
[illegible] possit
esse licitum [illegible]
dictat [illegible] et

ad [illegible]

quod propter [illegible]
[illegible] aliter [illegible]
[illegible] quod non lege nature [illegible]
[illegible] et [illegible]
dictat illa lege [illegible]
[illegible] dispensat [illegible]
fuit [illegible] Ad [illegible]
[illegible] quod [illegible] fuit [illegible]
[illegible] ut [illegible]
[illegible] ut [illegible]
[illegible] plures [illegible]
[illegible] potest sed [illegible]
fornicarius [illegible] potest [illegible]
magis [illegible]
esset magis [illegible] potest
et [illegible] potest
quod [illegible]
[illegible]
[illegible]
[illegible]//
[illegible]
[illegible] sed [illegible]
habendo plures uxores quia
utraque [illegible] sed
[illegible] quod esset [illegible]
et [illegible]
[illegible]
[illegible]
[illegible] quod [illegible]
[illegible] Ad [illegible]
[illegible] ad//
[illegible] quod [illegible]
obligatio perpetua [illegible]
[illegible] obligatio [illegible]//
[illegible] perpetua
et [illegible] quod in lege moysaica
non fuit [illegible]

in forte aliud ultra [illegible]
voluissent se obligare perpetue
[illegible] in lege [illegible] ut [illegible]
quod si non fuit [illegible]
et ita obligatio [illegible]
[illegible] legislator [illegible] ut
dispensaret dispensavit [illegible]
[illegible] dispensatione
ut [illegible]
[illegible]
[illegible] dissolvitur [illegible]//
religionis [illegible] et [illegible] fuit
[illegible] et [illegible]//
[illegible] ad [illegible] legis//
lator dispensat [illegible]
propter maius bonum [illegible]
[illegible] propter maius [illegible] ma//
lum vitandum. Ad aliud [illegible] est
[illegible] quod [illegible] di//
spensandi [illegible]
[illegible]
quod [illegible]
[illegible] magis [illegible] Ad aliud

[illegible]

[illegible] virginitas [illegible]
[illegible]
[illegible]
quod non erat [illegible]//
[illegible]//
[illegible] fuit virginitas
illicita sed [illegible] erat [illegible]//
[illegible] et [illegible]
[illegible] ut [illegible]
propter [illegible]//
[illegible]
bonum malum [illegible]
[illegible] ut [illegible]

bitata fuit virginitas et hic erat unus bonum melius quod tunc conveniebat, propter consilium scilicet Ieremias et alii aliqui, consilium scilicet semper est deterioris boni. Secundo, secundo primi ethicorum: illud quod servatur melius et sapientiores communiter scilicet patriarche et prophete qui liberius continuissent; igitur etc. melius prius quam virginitas, licet tunc fuit licita, tunc fuit unum bona melius. Secundo dicit quod virginitas modernorum non prefertur melius antiquorum coniugio adferens conclusionem; quod est contra, licet quo eadem nobilitatem quod est ancilla conjugium, patet quia qui duplici modo sunt regi, tunc equali sunt nobilitate regis quoniam omnia cum unum mere equale mercede accipiunt. Tertio, deus qui omne complevit virginitate, tunc complebat melius est, scilicet et probat per auctoritatem dist. 33 et Augustinum et Gratianum quos adducit allegat. Secundo patet quia virginitas debet ancilla. Tertio dicit quod una virginitas prima preferenda est et melior est melius, patet primo quia bonum divinum melius est bono humano, naturali autem redimentum est adgratiam quasi bonum humanum et virginitas est bonum divinum et melius per abstractionem carnis et terrenis adiunctis reddit hominem magis paratum adcontemplationem divinorum. Virginitas autem hic

compedimenta tollit quod melius est. Secundo bonum anime est melius bono corporis, sed virginitas est bonum anime, ut reddit hominem expeditum adactum eius melius est bonum corporis. Tertio patet, hoc est quod virginitate complevit et cum ipse fuerit et mater virgine elegit, quod virginem apostolo predicatum commendavit. Quarto, illud cum deus complevit aliis preceptis et elegit aliis preceptis et principaliter melioribus est melius, sed virginitas deo dedicata; hoc scilicet, idem patet auctoritate Ios. 1° ubi dicit: expositum quod melius virgo virginitatem sicut hic fuerit quod non virgo melius hic fuerit; et quod dicit Augustinus civitate de virginitate recta est et sacris scripturis auctoritate predictum, et complectens et verissime causa tunc bonum ut matrimonium generale ut ordinale equum. Sexto, hiis inferetur quod quarto virginitas preferetur melius et hoc reddit hominem magis expeditum adcontemplationem divinorum qui tenuit virginitate et sit etiam devotioni dedita; hic ex eo semper tollit licet sit recte statu preferre conjugio; tunc est complectivum preferre quod extra tunc melius ubi de parte contrahit ad multiplicationem sed debitum. Est duarum conclusionum: fornicatio soluti cum soluta sit peccatum est, quod fornicatio sit negata sed continentia est peccatum mortale et de se sicut non

non esset deberet aliqua lex scripta divina ut humana que tamen quis mortale ut dicetur est nisi ratione unitatis pro quas permittitur et patet est ex se contra ista quod deum est tunc ubi divinum ut ex veteri testamento patet quod dicitur Deute. 23: non erit meretrix de filiabus Israel, ubi glossa dicit esse per preceptum legis quod adeos prohibet unde quasi est veniale turpitudo vel in lege et quasi sanctificare est veniale turpitudo quod expressum meretricium; item de quod excludit a regno celorum est peccatum mortale, sed fornicatio excludit a regno celorum ut patet ex novo testamento scilicet ad Cor. 6to: neque fornicarii neque ydolis servientes regnum dei possidebunt. Ad Gal. 5; item ad Thes. 4° dicitur: hoc est preceptum dei ut vos abstineatis a fornicatione. Et Eph. 5to: omnis fornicator et immundus aut avarus non habebit partem regni Christi et dei, et pluribus aliis locis sacre scripture dicitur similiter quod fornicatio sit peccatum mortale, patet ex opposito unus propositum quod dicitur 23 q. 1 cap. ultimo: fratribus nostris dicentes precepimus penitentiam imponi debere qualem decuit ulterius de fornicatione statuti divo voluntarie commissi et certis dominicalibus [illegible]

mentale fornicationem vel certis qui sunt peccata mortalia patet i quod fornicatio simplex est peccatum mortale quod non est mortale divino et humano neque aliquid pensetur hoc est ubi in hoc tunc redempti nisi et tempore nostra fidem dicitur sicut patres antiqui ut abraham iacob david habuerunt concubinas ex quibus genuerunt et non est dicendum quod fecerunt mortaliter, igitur ista etc. sit fornicatio est peccatum mortale dicitur quod ut quod tunc dicitur quando concubine fuerint vel uxores illorum patrum etc. ancilla inventur licet aliqui tunc ex divina dispensatione plures haberent legitimas uxores aliquos ergo vocabant concubinas eo quod non erant ita matrone nec ut eam ducturus sed eo quod non erant ita principes dominae eadem ut ille sicut erat quod ancilla principalius uxoris et agar et zethura dicte sunt concubine abrahe et bala et zelpha ancille rachel et lie dicte sunt concubine iacob quamvis erant legittime uxores eius.

Questio quarta est utrum impotentia ad actum carnalem impediat matrimonium. Et quod generaliter impotentia sive ad illud actum preterita non sit subveniri est sit consumatum ut paret sed predictum matrimonium impedit contrahendum et dirimit contractum. Et adhuc est ita pa

Venia ate coniunctis e dato pta//
tis corporis ad actum si petat
si ic coitum hs ptate ttm
i ad pp ste dare i cot con//
hs Secus est monitu re
obligat se ad actum si petat
s debitum actus e si impleat est
si petat i obligat se adimplere
obligato aut adimplere est
oblata ex lege divina i lex di//
vina ex exhibet ttm ob//
ligacoem i oblata e Quo alia
persona intendit committere pta//
tem sui corporis ptate corporis
alterius i recedit aliam corpore co//
ntrahere sed ex pp i ibi uxor
committit ad aliquid quod e ipse re//
quisitus et ideo sunt coniuncti
ultra pp debitum e prop Secundo
dico quod si talis impon[illegible] perfe//
ctioni consumatum non dimittit
quod eorum ptas e tradita vel
et ic tui e tradita e omissa
professione i ex pp revo//
care per aliquod impedimentum
supervenientes unde regula
e habendum quod nullum impedi//
mentum adveniens post matrimonium
consumatum et ratum potest solvere
ipsum quo admonitus licet possit
quo ad thorum et Quarto ratum
et consumatum quod tamen ad fide//
post recepisse reputatus post aliud
divine maiestate sua infide//
litate Quo dico quod dux e im//
potens coitum sed nat et tam
melius minime e frigiditas
vel annullatio post mire et i
habere dimittere Casus nat est

maleficium que sit prius alig//
nos ferri qui fuerunt patrimones
non habiti fuerunt premissa ut
eos referunt Quod exemplum
sua quis effectum honores di//
cimus et deus dimittit eos
exceptio ptate sua ad impedi//
endum aliquos ab aliquibus actibus
matrimonii possent si non contra//
hediti et hic nt pp perpetui corporis
ut pp aliquod aliud tam oculis
tam demonstrans Quando quod
dux e maleficium quoddam
temporale et hac non dimittit matrimonium
quoddam perpetuum quod durat ad
certam horis et hac dimittit
matrimonium conclusum perdit sed non
quod se matrimonium Maleficium
aut non aliquos esse perpetuum
sed non aliis nunc prius sed
non admonere perpetuum nec ce
perpendit quando dicta operanti
solvunt perpetuum Separatio vel
illo non sit aut utrique proclamat
admoniun et perpetue impeditum
et tunc pp periculo collusionis
utrique iurabit quod bona fide
operam dederunt ut coire po//
tuerint vel cum mani propinquis
eorum perpetuum et postea coram
[illegible] quod de credulitate//
tate iurabunt aut ubi perpetue
et alibi negat aut i core p//
notat ad separatam domum
Si vero convenit ei probato
uxore negante ut credi ei
soli si unde probat vero tam//
en asserente credit viro

quod tempus e conlibet fodiendum
operam tocius velit probatus
esse mentitum separatio vero
pta maleficiato dat licentiam
contrahendi Si vero post sepa//
ratum redit fo pro mutuo
coniungit ab eundem secundis//
matrimonium quod temporale fuit
impeditum non perpetuum Tali
vero sit separato pp frigiditate
excepto quod frigido vero datur
licentia contrahendi vel alio quod
frigiditas e impeditum vel
si maleficiato dat quam ma//
leficium e impeditum perpetuum
Si vero frigidus coniunxit et
predam coniungit tenetur redire
ad primam que constat tamen//
indicando impedimentum perpe//
tuum quod erat temporale ex de//
cepto Sed dic quod dicitur
pp impedire actum pote quantum
vel in aliam potentiam
actus impedire vero pp Quod
quod deus permittente vel aliam
potentiam actus impedire
possit si omnipotens permittit impedire
actum quantum pp quantum tam//
corporum et pp inordinatam
hominis affectionem circa hunc actum
impedit aut quantum non
impedito mutuo laudando et//
quantum si exitum impediendo
ipsum et e impeditum actu
non male sed pp impedire
adhunc mulierem ita quod vero
ad alias vel tollendo excitationem
concupiscentie ad illam vero ad alterius

Item ad confirmandum matrimonium quod in rebus
tamen decente ipsi et que
tamen de plenitudine Illa quod
in rebus tamen de solempnitate non
essentiat matrimonium et in corporis
defectu non dirimit matrimonium
tamen si dirimit contrahendum
impedit Hec autem sunt duo
sed impedimentum est et ipsi pe//
nas unde Quod Non solum
tamen impediunt vetitum fieri
Verum sed impedimentum e ut
e illud de uxoribus et cum//
tempus est que debet in ipse
quinque remanere sine p[illegible]
ab adventu domini usque ad octavas
epiphanie Item hec dispensari
Illa vero que in rebus tamen dis//
minuit essentiam matrimonii et
in eorum defectu impedit con//
trahendum et dirimit contractum Hec
autem sunt et quatuor Vix
neptibus Error conditio votum tempus//
cultus disparitas
vis ordo ligamen honestas
Si sis affinis si forte coire
nequibis Hec socianda vetant
connubia iuncta retractant Horum
impedimentorum ipsa penes ter
minum causas accipi possunt
penes efficientem que e consensus sua
defectu accipiunt tria
sed error persone et error conditionis
et votum penes finale quod
e dux sed contrahens prolem
educandam ad cultum dei et
remedium fornicationis vel recipiunt

tum etiam non offitium generacionis
est causa coeundi sed etiam (?) eius
admisti dicitur est dispensatus (?) cuius
non remedium infirmitatis rei//
ceritis quo se prohibet remedio
spenes tamen malum ...
tam etiam matrimonium est contractum per
fornicationem tamen ... eius cor//
pus et est unum corpus cum//
omnis propinquitate adhereret
in omnia propinquitatis con//
stat impedimentum contrahendi Secundum
ad sex est vel propinquitatem vel
affinitatem vel ... pu...
...stat Spenes tamen formale
recipiunt ... fit matrimonium est
... proprietatis indissolubilis
cum ... rerum
... ad ... non//
... ... ordo
... qui se tradidit domino offi//
cio et nomine ... se
tradidit inobedientiam alicui
... et legitime ... potestate pri//
... alicui ...
... impedimento matrimonii cum
... matrimonium contrahendum
... matrimonii nota hic ...
quod ... cognoscit consanguineam
uxoris sue ... ad matrimonii
... matrimonium et
... ...
et ... matrimonium ...
... ... affinis
... ...
... et ... et ... cum
... matrimonium ... Sed
... ...
post modum ... ...

anno ... spectat ad tium

exactum matrimonium cum ...
... uxoris impeditus
cum ... ad ... ...
... ...
... ... dari
... ... Vel
... prohibetur ... ...//
uxore cum sit ... uxoris
... ...//
... ... uxori ... si
... ...//
... ...
... uxoris et ... ...
... ... fit
... ...
... ... affinitatis
... et uxore

Quaestio 34 quod tercio queritur
utrum liceat viro dimittere
uxorem suam causa for//
nicationis ... ...
quod ... est ... ...
bonum plus quam bonum fidei sed
... ... plus ... ...
... ... uxorem dimitti
... ... fidei ... ...
fornicationem ... ...
... ... fornica
... ...
... ...
... ...
... ... dimitti
... uxorem ... ...
fornicationis ... ... fornicationem
... ...
... ... uxorem dimittere
fornicationem ... ...
... ...
... ...

sive quod ... ... Illud
... est exactum debiti ... ...
... et redditum ... ... et
... ... igitur
propter fornicationem ... ...
... sit per divorcium ... ...
et uxore et ... ...
... ad ... fidem ...//
... est ... divor//
cium propter quam ... ...
... est culpa uxoris adul//
terantis ... ...//
... ...
dimittere uxorem et ...
... ...//
... ... et ...
ut ... 32 q. 4 ... ... extra
de divorciis ... ...
... ...
... ... et ...
... ... fornicationem ... et uxor
... ...
dimittere ... ... uxori
... ...
... ... uxorem
... et idem ... ...
... prohibuit ... ...
... ...
... ...
et ... ...//
altero ... ...
... fuit ... ...//
... ... ut 32 q. 1 ...
... ...
... ...//
... ...
... ... 32 q. 2 ...
... ...

Sextum quod ... ...
... adulteram vel ...
adulterantem ... ...//
... 32 q. 2 Septimum ... ...//
qui ... ...
et ... dat uxori ... ...//
... ...
... ... post ... ... ad
fidem ... ...//
... ...
tamen fornicationis ut ...
extra de divorciis ... ...//
... ... et uxor ...
... ...
... ... dimit//
... propter fornicationem ... ...
... dimittere ... ...
... ...
fornicationis ... ...
... ... bonum fidei et
... ... bonum plus ... ...
... ... bonum
fidei ... ...//
... divorcium ... ...
fornicationis ... ...
culpa ... ...
... ... ut sodomia
... ...
... ... spiritualis fornicatio
... quis ... et ... ...
... ad divorcium ut hic ...
de ... ...
aut spiritualis fornicatio heresis
iudaismus vel gentilitas
et ... ...
fornicationem et spiritualem ...
carnale ... ... fornicatione

... ...

dimitti quantumcumque velit pe-
nitere sed pro spirituali fornicatione
commissa non potest dimitti si no-
luerit recedere ab errore cum ante
fuerit propter heresim est deprehensus
si velit resipiscere. Sed numquid
possit uxorem fornicatam dimittere
absque iudicio ecclesie. Dicitur quod uxor
fornicaria potest dimitti dupliciter
quo ad thorum tantum et quo ad
thorum et cohabitationem simul.
Primo modo uxorem suam debitum for-
nicatione constat sine ecclesie iudicio di-
mittere sua et debitum negare
quotienscumque compellat ante ecclesiam
et si ante voluntarie reddit
debitum remittit iniuriam et
committit sine preiudicio accusationis.
Si autem compulsus reddat
non erit quod noceat verum eadem
ipsa facta sine non constat si preiu-
dicium accusationis et tantum
non eum reddit quo ad thorum et
cohabitationem non est dimitti
nisi fornicatione vel iudicio ecclesie
quia non est ecclesie iudex in propria causa
in pulsata tercia potest esse pe-
ricula et quod dicitur xxxii q. i licet
viro dimittere uxorem causa
fornicationis dicitur intelligi propter
iudicium. Dicitur item cum non
dimittere coniugem propter fornicationem
dicitur quod si fornicatio coniugis est
occulta non potest hinc propter item
non nunquam vel unde est
dimittere coniugem quo ad coha-
bitationem licet possit dimitti
quo ad thorum vel alia pena
puniri quo ad correctionem. Si
autem fornicatio est notoria et

probatur potest licite aut penitere cor-
recte aut spectat penitentiam aut
persistit in malitia amplius ecclesie
tamen non est minor uxorem di-
mittere quam separare ad correctionem
conducta est pena ad arbitrium
non de iure recipi debet correc-
tio expressit vel emendationi probabili
spectat. Primo tamen non est uxorem
dimittere nisi cum constiterit uxorem
per certo fuisse sic sunt multe
auctoritates quod permittit rursum et hec
non videtur aliquid xxxii q. prima hec
tamen intelligi non possit eam adire
cohabitandam debitum moratorie vel
in clausura vel ubi non licet
et hoc eum eam non te dimittere
quod possit tenere. Item ecce
non tenere nisi certa valde emen-
dati compellat. Secundo dicitur
quod si conuincit non sperare correctionem
in cera potest eam si recte adthorum
recipere sed non potest publice cohabitare
propter scandalum quod non videtur com-
mune debitum reconciliare. Aliud dubium
an dimittens uxorem suam propter
fornicationem possit aliam ducere.
Dicitur quod non dimittens uxorem
suam propter fornicationem non potest
ita vivente aliam ducere nec
uxor dimissa viro propter adul-
terium potest alium ducere debitum vi-
ro etiam quod risistendo sed non
sed causa quod cadit sub precepto
non est reddere et ad illud non
obligatur persona que non tamen
petit vir aliud cadit sub precep-
to et istud et ad illud obligatur
semper sed non cum sit alter

quam dum stat vinculum matrimoniale
aliam tenere non est licet cum le non
licet cum stante plures uxores
simul permiscere si vero dimisit
uxorem licet alteram ducere con-
tinuo quod matrimonium non solvit
preter divortium. Dicitur ut aug.
cum coniuges maneat coniugale vi-
vendi quod non separatio nec iure ad-
vivendi potest auferre ut habetur xxxii
q. i usque adeo. Sic ergo erit
separatio utrorumque quanti admi-
nistrandi et hoc quo ad formationem
superveniente sed perpetrationem
fuit separatio quo ad thorum et
cohabitationem tamen divortium
reductum est infamia notoria
coniugis et adversum notores. Sed
si per divortium separatus cum illa
maneat tunc cum et vel plus in-
famia notoris per eam notorius
in per divortium ac solvit matrimonium
Secundo si est si divortium solvit
matrimonium tunc separatio ut notorie
possit aliam ducere et etiam
fornicantis sicut alium ducere
non adhuc obstant et etiam in
pedimentum et adulterari
volentes dicunt causa recedi
aliam inveniam ad ... angustis
(Aliud dubium an vir uxorem
dimissam possit post divortium
commissam reconciliare. Dicitur aut
uxor correcta est et deprehensa aut
manet incorrigibilis. Si manet
incorrigibilis viro non licet eam
si reconciliare ea re quia eam
volente aperte deprehendit non lic-

beat retinere sed in audere ad
patronum turpitudinis. Si autem est
correcta potest vir eam si reconciliare
non ut si debitum est divortium
reductum est infamia notoris
et adversum adulteratis. Ubi
autem correcta uxor est licet viro
continuare quod per inquisitionem aut
amicum potest fieri reconciliatum hic
tamen concedat vel in reconciliatos
et hoc est fieri aut usque dis-
cordat et hic non est fieri. Sed
alter concedat et alter non tunc
eo invito petit si reconciliari
invito et hic est cogi invito.
Non deprehensu sunt ipse maneat volun-
tarie committens. Et maneat petit
invito si reconciliari et tunc non
est in notoris cogi ad reconciliationem
quantumcumque peniteat fornicatus
que prima et si tollit petit ... non
et petit recepto quo ad illud non
tamen tollit reatum et subit adpenam
humano iudicio consequendam per
ut prima tollit accusationem et
consequitur omnium tollit exceptionem
Aliud petit notoris petit notorie
et consequenter fornicata et pro di-
verum aurum dimisisset petit
concessa fornicatione post divortium
debebat prius committi ubi non con-
victa nisi duas ... sed non
teneatur sed quod per iudicium fie-
ri et secundum rigorem iuris carere
post divortium fornicationis non
debet cogi adversare reddere per
suum iudicium confiteri reddere
ad eam invitam non velit

sicut ordines [illegible] quod tunc
[illegible] si cognoscendo uxorem
suam sit fornicata et sic eo
[illegible] tamen cessat tota
[illegible] diuorcii quod cum redit an
[illegible] eius [illegible] fornicatio
[illegible] adulterium [illegible]
[illegible] et [illegible]
[illegible] primum in-
dum [illegible] de [illegible] forni-
cante [illegible]
[illegible] de [illegible] quod adul-
terio uxoris [illegible]
[illegible] petit diuorcium [illegible]
[illegible] et uxori
[illegible] consistere [illegible]
petit et [illegible] uxori peteti debitum
reddere et ei [illegible]
[illegible] tenetur
[illegible] diuorcium
[illegible] celebrat [illegible] ad
acta [illegible]
[illegible] ordine [illegible]
[illegible] fornicatio
[illegible] quod
[illegible] fornicatione sit
[illegible]
[illegible]
[illegible] fornicatio [illegible]
[illegible] dicitur quod
[illegible] fornicatio [illegible]
[illegible] cum [illegible]
[illegible] et [illegible] pari
[illegible] debent [illegible] aut
[illegible] cum
fornicatione [illegible]
[illegible]
adulterium commissum in aliqua

[illegible] uxore primo impediat
[illegible] in [illegible]
[illegible] et [illegible]
[illegible] adulterium in
[illegible] et [illegible]
[illegible]
[illegible] et [illegible]
et [illegible] coniugium
in [illegible] adulterium
[illegible] et
[illegible]
[illegible]
[illegible] impediunt matrimonium
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] ut possit pri-
uare uxorem debito coniugali [illegible]
[illegible]
[illegible]
[illegible] adulterium [illegible]
[illegible]
uxore. Si in [illegible]
[illegible]
[illegible] et [illegible] addit
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] matrimonium
[illegible] in [illegible]
coniugata sit adulterium [illegible]
[illegible] legittime [illegible]
[illegible] adultere
[illegible]
[illegible] in matrimonio et [illegible]
[illegible]

reputent [illegible]
[illegible] impedit matrimonium
[illegible] et [illegible]
[illegible] in aliqua coniugata
[illegible] et [illegible]
[illegible] in effectu [illegible]
[illegible] et [illegible]
[illegible] qui
duxit [illegible] pol-
luit per adulterium [illegible]
[illegible]
[illegible] et [illegible]
[illegible] infidelium
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] ad fidem [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible] uelit [illegible]
[illegible] de adulterio [illegible]
in [illegible] de [illegible]
[illegible]
legittimum matrimonium et [illegible]
uxore [illegible] addit ad-
[illegible] adulterium [illegible]
adulterium et [illegible]
[illegible] in effectu ut [illegible]
et effectu et [illegible]
[illegible]
[illegible] uxor [illegible]
[illegible] matrimonium [illegible]
[illegible]
et [illegible]
[illegible] ut [illegible] in bello

iusto [illegible] et [illegible] ut
ducat [illegible] impedit [illegible] occi-
dit ut ducat [illegible]
[illegible]
[illegible] possit [illegible]
[illegible] bello [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
uxore [illegible]
et [illegible]
[illegible] occidit [illegible]
[illegible] uxor [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
admittitur [illegible]
[illegible]
[illegible] impedit
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
impedit aut [illegible] matrimonium
[illegible]
[illegible]
[illegible]
[illegible] impedit matrimonium [illegible]
[illegible]
[illegible] si quis uxorem [illegible]

servum lapidasset quod fuit servus
auctoritate tamen iste non excusatur cum
peccaverit quia oportet dicere quod servus con-
tinue non tenetur ad eandem
penam punitionis inferendam ad-
quam tenetur si non esset servus [illegible]
aut excusatur cum dominus pu-
niendo illum peccavit quia remisit
sibi illam penam legis sicut non
habemus expressa sed pro dicto
quod quod fuit peccatum servicium et
in illud non debuit punire
pena punitionis sicut cum servitus
favorabilior Secunda ratio est quia ratio

Questio 30 Utrum quicunque contra
servitus impediat matri-
monium quia quia matrimonium per dare
alienum se corpori suo
a domino suo secundum [illegible] 3o pollicy
ro favorabilior est professio reli-
gionis quam conditio corporalis sed
religiosus per professionem suam voluit
dominum suum [illegible] matrimonium contrahere
Secundo dicitur ex degenerio servorum
quod [illegible] videndum est unde
inducta sit servitus et si iuste
Dicitur primo quod de lege nature
omnes nascuntur liberi cum quod ser-
vitus est magis quam subiecta
filialis ad patrem est de lege non
fuerit obediencia filialis pertinet
ad disciplinarum quod secundum philosophum
[illegible] ethicorum [illegible] sed rare
et disciplinatio sed illa ser-
vitus de qua loquimur ita
secundum quam dominus pro vendere
servum sicut peccatum de qua loquitur
philosophus primo politicorum quod servus non
pro exercere actus virtutis pro eo quod
est in adoptivum domini exercere
actus virtutis illa non est inducta

ensi aliqua lege positiva [illegible]
dico quod illa est servitus non per
esse inducta iuste et dicitur [illegible]
quod acquirit se voluntate [illegible]
[illegible] servitutis [illegible] [illegible] in subiecto est
factum et forte contra legem [illegible]
quod [illegible] sua libertate [illegible] [illegible]
diceret [illegible] [illegible] [illegible] et
et [illegible] [illegible] quod sicut est iusta
aliquo si [illegible] iuste dominus [illegible]
[illegible] videns [illegible] [illegible]
nostras quod libertatis [illegible] mortalis
et [illegible] [illegible] quod iuste [illegible]
pena servitutis [illegible] [illegible] [illegible]
[illegible] meritis [illegible] [illegible]
[illegible] [illegible] Si dicatur quod est
[illegible] servitutis utputa si raptus
in bello fuerit et [illegible] [illegible]
fiat servus deputatus ad [illegible]
[illegible] Non [illegible] [illegible] iusta
sicut servitus quod et si forte raptor
[illegible] [illegible] raptum [illegible] fuerit
iusto bello defendendo se
[illegible] aut [illegible] et sponte
[illegible] [illegible] [illegible] bellare
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
contra legem nature [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] rebellis [illegible]
[illegible] sua libertate si forte
fiet [illegible] et libertate [illegible]
donata [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod non est
contra legem nature [illegible] [illegible] [illegible]
[illegible] pollens [illegible] [illegible]
[illegible] pollens [illegible] [illegible]
[illegible] [illegible] [illegible] pollentes [illegible]
[illegible] [illegible] ad dominium [illegible] [illegible]

[illegible] pollentes [illegible] et magis
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] est contra legem nature non
[illegible] sed iusta nec [illegible] [illegible]
[illegible] [illegible] si magis con-
[illegible] [illegible] aut alia servitus
[illegible] [illegible] [illegible] est iusta
et contra legem nature [illegible] [illegible]
[illegible] temporis [illegible] iusta
quod [illegible] [illegible] [illegible] servus [illegible]
[illegible] quod [illegible] [illegible] non est [illegible]
[illegible] servitute [illegible] [illegible]
si [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] non [illegible] sit
[illegible] sed [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible]
[illegible] si [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
quod iusto titulo [illegible] et sit
bone fidei possessor et quod pos-
sideat per [illegible] temporis
a lege [illegible] si [illegible] [illegible]
se ad possessionem [illegible] [illegible]
servitute quod non est [illegible] [illegible]
possidendo [illegible] et [illegible]
ad legem nature et [illegible] [illegible]
[illegible] [illegible] iusto [illegible]
[illegible] [illegible] [illegible] [illegible]
quod [illegible] [illegible] [illegible] [illegible]
fuerint [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
servus [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] iuste
[illegible] [illegible] [illegible] [illegible] et [illegible]
quod [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] servitute [illegible]
non est laudabile [illegible] [illegible]

magis [illegible] [illegible]
[illegible] [illegible] servus [illegible] et non [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
magis [illegible] [illegible] [illegible] [illegible]
est [illegible] [illegible] [illegible] servitus
[illegible] servo per [illegible] [illegible]
[illegible] [illegible] [illegible] per [illegible] [illegible]
[illegible] servitute [illegible] [illegible]
uxor non per se [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible]
et dominus et [illegible] [illegible]
[illegible] [illegible] [illegible] per [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et ipse
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
dico quod [illegible] uxore [illegible] [illegible]
[illegible] per se [illegible] [illegible]
quod [illegible] [illegible] uxori [illegible]
[illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] uxor [illegible]
[illegible] [illegible] [illegible] [illegible]
et ipse [illegible] [illegible] [illegible] uxori
[illegible] [illegible] [illegible] [illegible]
[illegible] servitute et per [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] quod
servitus [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] religionis [illegible] [illegible]
[illegible] [illegible] servitus [illegible]

salvo iure uxoris unde domino
suo petente servitium et uxore
petente debitum magis obe-
diendum est uxori. De hoc extra
29 q. 2 c. Scelestum. Item dicunt
sancti quod precedit matrimonium
tunc impedit de se matrimonium
contrahendum si tamen ignorantia
eius detur per non inchoans co-
ditionis [illegible] non de se impediat
quod illud quod de se precedit
equaliter impedit sed sequens
[illegible] ignoraret si eius servitus
cognita ab illo non impedit
matrimonium ut dictum est supra et 29
q. 2 et c. de coniugio servorum
[illegible] 2 et illud [illegible]
ancilla [illegible] [illegible] generis
impedit quia non potest petere debitum
obligationem [illegible] ancilla [illegible]
ignorata servitute [illegible] per
illud generis conditionis impe-
dit matrimonium hac dictum sunt
supra doctore precedente matrimonium
et patet [illegible] quod alia sunt [illegible]
dicit [illegible] qualiscumque [illegible]
sequenti et [illegible] quod essent
deterioris conditionis [illegible]
potestate [illegible] ut possit cum
religionem [illegible] et bono [illegible]
quod servus et ancilla [illegible]
[illegible] reddere debitum domino petente
servitium et non habitum
quod [illegible] per [illegible] [illegible]
quas [illegible] [illegible] ut [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] est ut [illegible] de-
[illegible] [illegible] impediat
matrimonium et [illegible] [illegible]

tamen si [illegible] per [illegible]
[illegible] ut [illegible] ut hic 29
q. 2 c. Si quis ingenuus. Item
domino quod servus potest devolvere
in domini sui [illegible] matrimonium
[illegible] [illegible] [illegible] et si omnes
servi [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] relaxaret [illegible] [illegible]
illa servitus [illegible] et si [illegible]
[illegible] [illegible] [illegible] [illegible]
ut ipsum [illegible] impediendo
[illegible] [illegible] ut ipsum [illegible]
tendo [illegible] longinquas ut de-
[illegible] [illegible] [illegible] [illegible]
[illegible] posset aliqui [illegible] uxore
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible]
domino quod servus [illegible] [illegible]
[illegible] domino ignorante [illegible]
[illegible] [illegible] [illegible] [illegible]
quod matrimonium est de lege nature
[illegible] [illegible] est de lege nature
magis [illegible] [illegible] [illegible] de-
lege nature [illegible] tollit [illegible] [illegible]
est de lege [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
sit [illegible] [illegible] ad [illegible]
[illegible] [illegible] ad [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] magis est
de lege nature [illegible] [illegible]
[illegible] [illegible] quod obligatio que
est de lege nature [illegible] impediri
aliqua [illegible] quod [illegible]
alium ex lege nature [illegible]
[illegible] [illegible] [illegible] [illegible]

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obedientiam teneatur si obedire
matrimonium est [illegible] est de lege nature
[illegible] [illegible] ut dictum est supra et
quia [illegible] est de lege nature [illegible]
[illegible] quod [illegible] est [illegible]
[illegible] fecit [illegible] [illegible]
ei reddere [illegible] et [illegible]
quod impedit item reddendum
[illegible] aliud impedientes [illegible]
[illegible] [illegible] obligatio et hoc [illegible]
legem nature [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible]
est quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] dependet [illegible]
eius si quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] est [illegible] [illegible]
[illegible] [illegible] adhuc [illegible]
quod obligationem [illegible] hoc [illegible]
[illegible] [illegible] [illegible] [illegible]
tenere domini ad [illegible] [illegible]
ad [illegible] si [illegible] matrimonium
[illegible] [illegible] obligatio [illegible] [illegible]
[illegible] [illegible] quod [illegible] tollit [illegible]
[illegible] quod [illegible] [illegible] reddi [illegible]
obligationem [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
servus [illegible] [illegible] matrimonium [illegible]
[illegible] domino [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] libertate
ad quoscumque actus et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] velit esse contentum
[illegible] [illegible] [illegible] [illegible] ad
[illegible] [illegible] [illegible] [illegible] posse

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[illegible] [illegible] [illegible] [illegible] [illegible] et
tenet [illegible] [illegible] [illegible] [illegible]
servus [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] conditionem eius
et confirmat [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] servus [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] ancilla
et [illegible] [illegible] [illegible] [illegible]
illud quod [illegible] et [illegible] [illegible]
ita [illegible] [illegible] [illegible] [illegible]
reddere debitum [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
quod servus et ancilla [illegible]
[illegible] voluntate [illegible] [illegible] et
[illegible] [illegible] mitteret [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] est [illegible] [illegible]
[illegible] [illegible] ut hoc [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible] [illegible]
ut vendat [illegible] et [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] adhuc licet [illegible]
[illegible] [illegible] ad [illegible] [illegible] [illegible]
servus [illegible] est [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ut [illegible]
[illegible] [illegible] et [illegible]
[illegible] et [illegible] ad quoscumque
actus [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] possit [illegible] [illegible] [illegible]
[illegible] [illegible] ad illud [illegible] obligare

quanti sui inti est et quod probatur
destruitur ita maledicta quia
finitus est sed peccatum miti per quod est
possessio dominii sui sed peccatum ut
peremma (dicto aut quod mortalibus
suis durat tantum et non durat
quod (spiritus est finis est tamen hoc et
ita liberi arbitrii (seque patet
magna credulitate fuisse ipsa
conductore servitus quod homini
liberi arbitrii et domini actum
suarum ordinatur agendum sunt
quod secundum neque libero arbitrio
utente neque potente agere
contrarium (prosequendo non est simile quod
professionis in religione totaliter se
submittit alteri prelati in religionis
et animo exuto substrahit se
servitii (proprius dominii sui non
per consensus ordinem sed per alicuius
aliquibus actibus consentit preter eum
haec quod redderet servitia consueta

Questio 31 quod directus
servitus ordinis impediat
ordinem (Ex)ecutionis prima
additur 7o dicitur aquis
exactis vero et dicitur de eodem 30
(questio servitus copulatus mo//
tamen et tamen sunt eiusdem servitus
ordine que sunt latinus 3o in
magis opponitur ordo et ma..
etc. (congregatio per recipere ordinem
servitus in etc. per quod sine//
gratis (in annuis ordinibus quod
capitat ordinem sacros recipit
(recte si sit debita intentio con//
sensus et suscipientis (motum arguitur quod
dist. 32 dicitur (plane) epistolis pro eos
diaconos suo (corpori ... est

al servire abinrordibus non contrahere
ut dicitur (glosa) (dist. 27 pro eis
et dist. 28 (solum) sacre diaconus
(non) presumat nisi quod se caste vivere
promiserit (contra) consensus quod sacer
ordo in (presbiteris (diaconis et sub//
tenuis impedit ordinem contrahendi
quod persona suscipiens sacros ordines
efficitur illegitima sine ad contrahendum
ordinem et huius non petentem non
in mente aliud hiis haceno legatur
constituta pro primum non (constat
quod ampliatiua circa non tene//
bant nisi forte dicatur quod omnes
tenuit per susceptionem sacri ordinis
contrahendi ordinem hunc aliquem de//
beret vti ma non contento sed
omnis aquis (dictus (Ex) ad illo primum
omnis exiles instanter non per
contrahere sed est quando quamvis
ipse dicitur annexum ordinem ut
ex precepto esse persipientis illas
ordinem non contrahere sic est exhor
quod certa sunt huius persona sine
illegittima quod statutum sunt
rationabile pro sacer habitus uxor
sine non quod eius deputati ministerio
sacro quod requirit ordinem mi//
et carnalis et preserite et salute
mistice et affectu uoluntati aliqua
dispensat ... et aditu alia
frequens carnalis actus ut mulier
dist. dicitur eos cum sine prudentie
ministro (sicut) quod eum ... non
tangit aliquem ad susceptionem ordinis
sacri et sensus prohibitum quod per
huius ordinem susceptum suscipientis
est inhabilis ad contrahendum ergo

voluntarie mutat habitum inhabili//
tatem (contrarii dicitur augere
ministerio adeptus ordinati sub comprehendi//
tum iusticiis ordinibus non re...
(re)cent ministerio adque ordinatur
si contraxerunt ordinem transitum
in sacris ordinibus non dicitur contrahere
ordinem sicut declarata quod clerici
in sacris sunt ministri dei quo ad//
dispensationem rerum sacrarum ad//
ministrando curam debent degere
extra tedio sunt dicto ... quando
extra curis sub puritate extra
corpus ut possint divina exercere
tractare et libertas contemplationis
ut possint libere spiritualibus in//
tendere (contrarius autem illorum im//
pedit ordinem quod tollit puritate
eo quod maculat cor et impe//
dit contemplationem quod occupat
terrena negocia sibi et tollit
adornatione divini ministerii (que requirit)
administrando curas dum sunt
misericordia diligenter in investigando et
cautela in servando ministeriorum ad
impedit diligentia quod occupatur
circa quasi non curat de quibus
spiritualibus (impedit eius cautela
quod implicatores uxoris et filiorum
facit expendi bona ecclesie que
sunt pauperum in non contingit quod
ordinem ad ordines sacros ordinem
(in decreta per se manifestant (in decreta prima ad
apostoli uxores vero iniit non plu//
rina ut ... deputato pro
decepto non quod non habuit apertis
sine tam ... bigamus et viduas
Si tamen clericus quod tunc licuit habere
ordinem etiam est sine consuetudine pro//

animi etiam quando non esto
pro sine non licuit tunc contrahere cum
sine illam pro licet (Ex parte
patet ad auctoritatem sequente ..
dist. textus inter copulatum expellit
glosa si copulato vitiatur (ad aliam
negotia plures quod susceptio sacri
ordinis non requirit in sexu debito
et intentionem debitam suscipi//
ente et consentiente etiam ... consequitur
(congregatio sicut suscipiendo propter
si nature requirit habilitate
impedimentum ad contrahendum et sic por//
tione sacrum est non inhabile
ad unum illud contractum (contra
quod non est impeditum ordinem
ad ordinem quale est ordinis
ad ordinem

Questio 38 quod error
voti religionis impediat
ordinem (Ex) non quod non
(votum) apud deum obli//
gat uoti simplex et solempne sed
simplex non impedit ordinem ergo
dicitur quod hoc ideo est quod simplex prius
non per solempne autem per contra
si voto non solempne fieret cum
contrahere possit propter et tamen tunc
non impediret ordinem contrahendi
et id non est contra (dicitur autem
quod extra de clerici uel uolentes
possunt ordinem contrahere vel ...
in simili dicitur de ... nobili
in sint uoto (continentie et sunt
istis ad binnium per quod contrahit
et certa sunt ad statum pristinum
redire in ... tamen contra
(contra ordinem spirituale medium est
quod carnale sed carnale ordinem
contractum impedit aliud contrahendi

(ad notarum)

(motu)

(de ...)

(ordinem)

r et maiori spirituale impedit conferendum. Illud autem continetur in nota glosse super id quod dicitur Extra, de sponsalibus, c. de illis, r. respondi. Ne autem virgo religiosa exhibeat Christo r. conditionem per ea impedit maiorem r. h. Nota quod primo quod obligatio sit simplex quod non sit eius aucte et hec est obligatio precepti alio vero sit ex liberali voluntate et hec est soli deo ut homini. Et homini non sine promissione ut patet. Et deo non votum et tunc huius promissio per se dei ut apud deum solum obliget et si sit propter actum contractorem et non votum tantum. Et ut ita deo inducit et hic animo (?) esse expressum mihi aliquibus signis vero ... [illegible]

Vota ... [illegible]

Viri licet ... sine consensu mulieris vovere ... [illegible]

[illegible]

bungant [illegible] tres modi [illegible]
habet pr[illegible] [illegible] solempne est
quod sit interveniente aliqua [illegible]
solempnitas [illegible] professionem [illegible]
ordinis [illegible] [illegible] [illegible] p[illegible]
susceptionem [illegible] [illegible] [illegible]
[illegible] dari [illegible] et
illa [illegible] [illegible] [illegible] testibus
[illegible] [illegible] possit [illegible] negari
ex de [illegible] statuimus [illegible]
[illegible] ut [illegible] professione [illegible]
vel [illegible] religionis abbati vel
abbatisse ut [illegible] religionis
[illegible] [illegible] [illegible] et ne
hoc negari possit fiat in presentia
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] velle [illegible]
[illegible] [illegible] aliqui aut [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] alia solempnitas [illegible]
[illegible] tres modi [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] libro [illegible]
[illegible] [illegible] professionem [illegible]
[illegible] et [illegible] religionis [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] habitum professionis [illegible]
[illegible] [illegible] [illegible] habitum [illegible]
et habitum [illegible] et [illegible]
[illegible] [illegible] [illegible] moram [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] solempne [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] ordine [illegible] [illegible]

suscipientis esse et alia quam
[illegible] [illegible] [illegible] [illegible] [illegible]
ad [illegible] [illegible] [illegible] [illegible]
et ad[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] solempne ut [illegible] [illegible] est
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] religionis [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] debeat [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] solempne [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
hoc [illegible] [illegible] [illegible]
[illegible] [illegible] solempne [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] solempne [illegible]
[illegible] [illegible] [illegible] [illegible] ad
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] premissa [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] premissa
[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] premisse [illegible] [illegible]
aut solempne [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] premissa
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] aut solempne [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
solempne [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible]
[illegible] obligat [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible]
ipsa [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
ibi [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] solempnis [illegible]
[illegible] et [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] deo et [illegible]
[illegible] [illegible] [illegible] esse [illegible] aut
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] Sed hec [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ibi [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] videre
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
religione [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] obligatus
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] hoc [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] solempne
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] adhuc [illegible] [illegible] illa [illegible]
[illegible] [illegible] [illegible] et hec
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] esse [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] aut [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] esse [illegible] [illegible]
[illegible] [illegible] apud [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

Quarto dicunt et si quis ex eo
illegitimavit eum in contractione
consumando votum simplex non
consumandi. Secundo dicit etiam quod
alia mala provenit [illegible]
fuit prohibet ut propter hoc contraheret
clandestine [illegible] et forte
maius malum sequeretur ex il-
legitimatione [illegible] voto simplici
ex eo illegitimatione quia ubi
sequeretur frequenter incontinen-
tia carnali si nollent con-
tinere [illegible] probabile est
[illegible] de-
bitum conjugali [illegible]
petendo tamen reddendo licite
utentur. Tertio quia [illegible] votum
simplex [illegible] mortali [illegible]
committeret [illegible] arguit
quod [illegible] matrimonium [illegible] voto
[illegible]
[illegible] post contractum matrimonium ex
[illegible] cognoscere carnaliter
[illegible] quia adhuc restat possi-
bilitas si implendi votum
continentie [illegible] tenere ex
[illegible] matrimonium
consumatum [illegible] et si illicitum
non reddere uxori exigenti debitum
[illegible] adhuc votum continentie non
obligat [illegible] matrimonium et
ipso [illegible]
[illegible] recompensare
Quarto [illegible] votum
simplex continentie contrahit matrimonium
[illegible] absolvit
[illegible] ut debitum reddat
exigenti uxore [illegible]
aliud [illegible]
[illegible] quod quamdiu [illegible]

[illegible] non [illegible] compositio [illegible]
[illegible] matrimonii que ad [illegible]
votum continentie. Illa adhuc post
contractum matrimonium que ad [illegible]
votum continentie [illegible]
[illegible] continentie
et quia [illegible] non ob-
ligatur ad debitum petendum [illegible]
non [illegible] petere debitum [illegible]
[illegible] possit ipsum exigenti
reddere [illegible] adhuc matrimonium
consumatum sit obligatus [illegible]
[illegible] quod [illegible] petat
[illegible] ut [illegible]
[illegible] et contra
[illegible] reddere
debitum [illegible] reddere
[illegible] si timet de [illegible]
fornicationis [illegible]
[illegible] alias quod
non [illegible] uxori semper
exigere [illegible] uxoris
[illegible] quod reddere [illegible]
quod [illegible] uxoris
servat uxoris [illegible]
[illegible] petat [illegible]
[illegible] exigere
et [illegible] ei reddere licite.
Tertio [illegible] votum
simplex continentie [illegible] matrimonium
[illegible]
[illegible] voto [illegible]
[illegible] et [illegible]
[illegible] continentiam [illegible]
[illegible]
[illegible] cum alio
[illegible] votum [illegible]
[illegible] petere [illegible]
[illegible] et illud

Non repugnat [illegible]
[illegible] voto [illegible]
[illegible] primo [illegible]
[illegible]
[illegible] et [illegible]
[illegible] et si [illegible]
[illegible] alii quod debitum
[illegible] exigat [illegible]
[illegible] debitum [illegible]
reddat [illegible] exactus
[illegible] quod hoc [illegible]
satisfaciendo [illegible]
[illegible] non possit
uxor defraudare et [illegible]
[illegible] votum
continentie possit [illegible] dispen-
sari [illegible] ex [illegible]
et [illegible] excellentiam [illegible]
quia [illegible] quod [illegible] dispensatio
[illegible] recompensationis
si continentia [illegible] aliquid
[illegible] recompensare
[illegible] dignum
[illegible] continentie [illegible]
[illegible]
[illegible] de domestica [illegible]
et [illegible]
ad [illegible] et [illegible]
[illegible] voto solemni continentie
non [illegible] dispensari [illegible]
recompensationis [illegible]
non possit dispensari [illegible]
voto [illegible]
solemni [illegible] quod probatur
[illegible] Ex de statu monacho[rum]
[illegible] ad monasterium [illegible]
[illegible] ita annexa
est regule monachali ut nec
summus pontifex valeat [illegible]

[illegible] regule annexa
est continentia. Secundo quia [illegible]
[illegible] quod semel [illegible]
[illegible] et non [illegible]
alios [illegible] solemne
votum professionis sanctificatur
quod [illegible] et semper [illegible]
[illegible] sacre [illegible]
semel sanctificatum et consecratum
[illegible] consecratum ita quod
[illegible] continentie [illegible]
[illegible]
[illegible] votum continentie solemne
non [illegible] per papam [illegible]
[illegible] deputatum. Tertio [illegible]
[illegible] dispensari [illegible] non
[illegible] votum continentie so-
lemne [illegible] professione reli-
gionis et [illegible]
[illegible] votum
[illegible] votum solemne [illegible] et
[illegible] dispensare [illegible]
[illegible]
[illegible] dispensare [illegible]
[illegible] continentie [illegible]
[illegible]
[illegible] claustrum
et [illegible] matrimonium quod [illegible]
[illegible] sicut [illegible]
[illegible] ut [illegible]
uxores tenebit continentiam [illegible]
[illegible] tenere [illegible] filiis
[illegible]
[illegible] quod si [illegible] posset
dispensare super [illegible] voto [illegible]
[illegible] prohiberet votum [illegible]
[illegible] aut [illegible] statutum
[illegible] votum quod [illegible] votum
[illegible] per [illegible]

quia de statuto iuris positivi
[illegible] ista ratione. Unde non omnis
solempnitas voti sit a iure po-
sitivo, cum obligationem quam habet
votum solempne racione solempnitatis
per papam tolli [illegible] per
statutum [illegible] ista illegitima-
tionem propter non adminiculandum [illegible]
votum solempne sit per eadem
[illegible] ista cuius legitima-
[illegible] [illegible] divina
quia [illegible] ob-
ligatio voti solempnis quam simplicis
sed equatur [illegible] obliga-
cione facta [illegible] simplicis
[illegible] excepta [illegible]
[illegible] se obligando [illegible] perpetuitate
esse tenetur obedire [illegible] per-
[illegible] magis quam
tenetur simpliciter obedire [illegible] pro-
[illegible] unde [illegible] professione sim-
plicis [illegible] publice
esse [illegible] unde [illegible]
abbate [illegible]
semper [illegible]
[illegible] adhuc perpetui-
tate esse et tenetur obedire
[illegible] abstracte
[illegible]
[illegible] obliga-
[illegible] quando imperator
[illegible] imperator [illegible]
utilitate rei publice per re-
nunciare [illegible] obligationem [illegible]
[illegible] et
[illegible]
[illegible]
illa [illegible] ad [illegible]
[illegible] generaliter [illegible]

[illegible] et conditionibus [illegible]
[illegible] possit
dispensare papa [illegible] voti [illegible]
[illegible] dignitas [illegible]
[illegible] exterioribus [illegible]
[illegible] ad [illegible]
[illegible] spirituale ad [illegible]
[illegible] ut [illegible]
[illegible] eadem
[illegible] ad [illegible]
[illegible] fuit [illegible]
[illegible] magna [illegible]
unde [illegible] [illegible]
accidentalis et [illegible]
[illegible] ad [illegible]
[illegible] plus [illegible]
[illegible] ad [illegible]
[illegible] oppositum [illegible]
[illegible] decretalis [illegible]
[illegible] dispensare [illegible]
passim et [illegible]
[illegible] et
[illegible] non [illegible]
dispensare [illegible] re-
ligiosus [illegible] religiosus [illegible]
[illegible] conditionem [illegible]
votum [illegible] illa
legittimatio ad [illegible]
[illegible] religiosus [illegible]
[illegible] voti obligatio
[illegible] fecit [illegible]
ad aliud [illegible]
[illegible] passim et [illegible]
[illegible] et uti-
litate esse [illegible] et [illegible]
[illegible] pro [illegible]
[illegible] consecratus [illegible]
[illegible] et [illegible]

[illegible] et non sicut
que [illegible] consecratio
[illegible] et si
[illegible] excusat [illegible]
[illegible] et utilitatis
[illegible] sit [illegible]
[illegible] generaliter solempne
per dispensationem [illegible] admittunt
[illegible] et [illegible]
possit [illegible] consecratio [illegible]
fuit consecratio [illegible]
[illegible]
[illegible] statuto [illegible]
[illegible] inhabile
ad matrimonium [illegible]
[illegible] ad
religionem [illegible]
[illegible] matrimonium [illegible]
[illegible] quod sit
[illegible]
[illegible] religione [illegible]
[illegible]
[illegible]
[illegible]
[illegible] constituit matrimonium
[illegible]
[illegible] ex [illegible]
et [illegible] ad [illegible]
[illegible] quod licet
obligatio ad [illegible] et si fuerit
[illegible] fuerit [illegible] il-
legittimatio ad [illegible]
fuerit votum solempne

Questio 39 queritur utrum
disparitas cultus impe-
diat matrimonium. [illegible]
[illegible] Joseph duxit
in uxorem [illegible] filiam Putifaris

[illegible] et aliam
infidelem. [illegible] Moyses duxit
in uxorem filiam Jethro. Exodi
2 [illegible] quod
nollet [illegible]
Moyses duxit filiam [illegible]
[illegible] Numeri
[illegible] Regum 2 [illegible]
[illegible]
[illegible] 32 [illegible]
Salomon accepit filiam Pha-
raonis et Moabitidas, Ammo-
nitidas, Sydonias [illegible]
[illegible] et Etheas [illegible]
1 Cor [illegible] si quis fidelis habet uxorem
infidelem et haec consentit habi-
tare cum eo non dimittat
eam. [illegible] disparitas cultus non di-
[illegible] matrimonium [illegible]
[illegible] aliquis [illegible]
[illegible] quod fidelis [illegible]
fideli et [illegible]
quia lex [illegible] Si [illegible]
ad pugnam [illegible]
[illegible] captivos et
[illegible]
[illegible] non [illegible]
et erit [illegible] uxor [illegible]
[illegible]
[illegible] cum alienigenis
[illegible] aut [illegible]
[illegible] hoc est non
[illegible] fideli et [illegible]
non cum infidelibus que [illegible]
[illegible] adtenebrat aut
[illegible] fidelis non cum infidelis [illegible]
[illegible]

religionis et fidei [illegible] pulata coniugia. Idem est de [illegible] baptizatus firmatur coniugium quod baptismus est primum sacramentum [illegible] infidelis possit contrahere vel coniugium habere [illegible] fidelis [illegible] explicate [illegible] et ita [illegible] religione [illegible] primum sacramentum [illegible] baptizatus [illegible] fidelitatis [illegible] fide [illegible] et habent [illegible] infideles [illegible] fidelibus [illegible] publicata [illegible] fidem ipsam [illegible] aqua [illegible] fideles [illegible] fide [illegible] fidelitate [illegible]

[illegible] infideles [illegible] fideles [illegible] lex [illegible] contrahere [illegible] infidelem [illegible] infideles [illegible]

[illegible] fidelis [illegible] infideles [illegible] infidelibus [illegible] infidele [illegible] fideles et infideles [illegible]

[illegible] fidelem et infidelem possit [illegible] fidelem et infidelem [illegible] fideles et infideles [illegible] fidelem et infidelem [illegible]

illegitimi at fidelem non pertinet
sed certu infidelium et hac certa
racione ordinavit et non per ho-
mines et tangere ho[c] ma-
nifestum sed Judex est non ho-
minum ... sed [illegible] plus
et committere [illegible] pertinent
[illegible] Item [illegible] ad id [illegible]
[illegible] fini [illegible] dicit impedire
matrimonium sed disparitatis cultus
est [illegible] est [illegible] disparitas
contra [illegible] plus [illegible]
[illegible] contrahere [illegible]
[illegible] Item et contra
[illegible] quia fideli [illegible]
net periculum [illegible] a fide
[illegible] alter coniugum infidelis
non matrimonium [illegible]
et in disparitate cultus [illegible]
[illegible] impedit matrimonium [illegible]
Item [illegible] Item aliud
fuit ante legem moysi et
aliud sub lege et aliud tempore
gracie [illegible] fidelis
non [illegible] nec nulla
[illegible] prohibuit et sic
[illegible] non mandat
[illegible] Exo 3° et Joseph non
egipcia tempore [illegible] erat
[illegible] non [illegible]
[illegible] observatorum et
[illegible] reliete [illegible]
[illegible] ad fidem non
[illegible] habebat [illegible]
non [illegible] de [illegible]
fidelium tempore [illegible]
fideli [illegible] non aliqua in-
fideli ut [illegible] 28 q. 1 ca. [illegible]
et ca. [illegible] itaque [illegible]

et ca. [illegible] tamen [illegible] Item dico
quod quando [illegible] ad fidem potest si vult
infidelem dimittere et si vult
potest retinere [illegible] potest [illegible]
[illegible] quo ad hoc [illegible]
[illegible] infidelitas quia
adulterium spirituale et adulte-
rium carnale Sed propter adulte-
rium carnale potest dimittere
uxorem si vult et potest tenere sub
spe [illegible] si vult [illegible]
conversi ad fidem potest dimittere
uxorem infidelem si vult et potest
eam [illegible] tenere [illegible]
[illegible] quod [illegible] mortua [illegible]
tenere [illegible] contracta [illegible]
[illegible] sed si infidelis [illegible] ad
baptismum accedit et [illegible]
christo moriatur [illegible]
[illegible] alter
[illegible] fidelis adeo [illegible]
[illegible] secundum [illegible]
ad cohabitacionem et reddicionem debiti
Et [illegible] quod [illegible]
[illegible] baptizatus [illegible]
[illegible] aliquo [illegible]
[illegible] christo [illegible]
[illegible] ut dicit [illegible]
[illegible] religionis
[illegible] quia [illegible] qua
[illegible] uxori [illegible]
[illegible] baptismi
[illegible] uxori quod [illegible]
[illegible] et [illegible]
[illegible] potest [illegible]
[illegible] et est
[illegible] quod si fidelis [illegible]
ad fidem [illegible]
fideli non qua [illegible] contraxit et

et expedit commorie [illegible]
cum [illegible] et [illegible]
dicit [illegible] Schifratur
infideles [illegible] fidele et
[illegible] infideles [illegible] fidelem
Si [illegible] non [illegible]
[illegible] appeat [illegible]
[illegible] blasphemando [illegible]
[illegible] et [illegible]
aliam infidelitatem [illegible] et
[illegible] Item [illegible]
[illegible] religione [illegible]
tenetur ad obligacionem [illegible]
[illegible] religioni repugnat [illegible]
[illegible] religione contrat
[illegible] et [illegible]
obligacionibus in infidelitate [illegible]
[illegible] repugnat religioni christiane et
[illegible] uxor [illegible] cohabitare
[illegible] salvatoris
[illegible] admissi-
[illegible] ad alias [illegible]
[illegible] et hac
[illegible] et [illegible]
28 q. 1 [illegible] uxor legitima et
ca. [illegible] si [illegible]
[illegible] fidelis [illegible]
mittat infidelem [illegible] fidelis
[illegible] fidelis [illegible]
non alio [illegible]
[illegible] vara
[illegible]
[illegible] et
[illegible]
et [illegible]
[illegible] ut fidelis [illegible]
non [illegible] fratri [illegible]

[illegible] ex-
[illegible] et obediant [illegible]
non [illegible] adhuc [illegible]
[illegible] et [illegible]
[illegible] infideli [illegible] sed
gentili [illegible]
[illegible] et [illegible] germani
non aliquo [illegible] sed [illegible]
[illegible] si infideles [illegible]
[illegible] preallegatum
Judei et ca. [illegible] malorum
[illegible] et quia [illegible] alia [illegible]
si [illegible] fine [illegible]
[illegible] fidele et infidele [illegible]
[illegible] et [illegible]
[illegible] Et [illegible]
[illegible] disparatis
[illegible] dicta [illegible]
infideles si [illegible] probabiliter [illegible]
[illegible] infideli [illegible]
[illegible] ad [illegible]
[illegible] coniugium [illegible]
et magna [illegible] ut [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] ut [illegible] possit
coniugium [illegible] christiana [illegible]
[illegible] sed [illegible]
[illegible] eam [illegible]
[illegible] familiaritatis
ad infidelem et [illegible]
[illegible] et [illegible]
[illegible] non [illegible]
et [illegible] fidele [illegible]
infideli [illegible]
Aliud [illegible] fidelis
dimittens infidelem [illegible]
[illegible] Et [illegible] aut fidelis

dimittens infidelem volentem cohabitare sine contumelia creatoris et absque eo quod pertrahat fidelem ad aliquod peccatum et tunc fidelis non alteri non poterit coniungi. Si vero infidelis non velit cohabitare sed discedit odio fidei aut si cohabitat ut precipit omnia contumelia salvatoris ut contrarium trahere ad infidelitatem tunc eo dimisso fidelis potest coniungi alio. Si vero infideles contraxerunt infidelitas contrahat coniuges fidelis [illegible] ipse lex de divortio [illegible] sine [illegible] salvatoris [illegible] 28 q. 1 [illegible] fidelis [illegible] salvatoris [illegible] fidelis non tenetur [illegible] [illegible]

[illegible]

[illegible]

[illegible]

ab eorum prohibito sed uterque coniuncta
sed alteri eorum propter hoc sunt separandi
quia infideles non sunt astricti stat//
utis ecclesie ut esse [illegible] dicitur//
consanguinitate et affinitate dei//
fidelibus. Si autem fuissent coniuncta
cum gradu aliquo divina vel canonica
prohibito non quia eos astringit lex
divina erunt separandi. Si autem
uxor non aliquam sicut repudiata
uxor non repudiatam sit reprobatum
expresse [illegible] Matheo cum sit
non ea manere debes [illegible]
[illegible] de divortiis
[illegible]

Queritur et queritur [illegible]
[illegible] cognatio
vel carnalis affinitatis
impediat matrimonium cum ipso
quod cognatio non impediat matrimonium
quia et matrimonium cum fratris
sue et fratris fuisse lege
divina [illegible] convixit cum priore
sua et convixisset cum fratre//
moriente quod non aliquam convixisset
excepto [illegible] recipite et continui
et enim non [illegible] illo vel
relinquet [illegible] et matrimonium
non [illegible] [illegible]
et [illegible] fuisset alia in priore que
filia erat [illegible] [illegible] communi//
[illegible] firmat [illegible] refert
[illegible] sed consanguinea
specialiori [illegible] affinitate
[illegible] et cognatio
[illegible] aliquo [illegible]
matrimonio [illegible] que [illegible]
[illegible] excluditur [illegible]

[illegible] propter consanguinitate [illegible]
et [illegible] [illegible] et [illegible]
de [illegible] [illegible] [illegible] quod
affinitas [illegible] repugnat quod effectus
[illegible] repugnat [illegible] sed
affinitas [illegible] effectus [illegible]
[illegible] repugnat [illegible] non [illegible]
non priore [illegible] impediret
repudiata coniugate [illegible] non ea
quod [illegible] [illegible] sit affinis uxor
[illegible] ut habetur [illegible]
titulo [illegible] [illegible] 3493 de//
propinquitate [illegible] [illegible] de//
[illegible] et [illegible]//
[illegible] sed alia descriptio et
regule prima descriptio [illegible]
consanguinitas [illegible] ut [illegible]//
[illegible] [illegible] [illegible]
vel [illegible] ab alia radicali [illegible]//
[illegible] descendit ut ambo ab//
eadem et [illegible] consanguinitas
[illegible] [illegible] [illegible] et [illegible]
quod [illegible] descendit [illegible]
secunda descriptio linea con//
sanguinitatis [illegible] collectio sive ordo
[illegible] consanguinitate [illegible]
[illegible] linea [illegible] collectio [illegible]
ab eodem stipite descendentium
gradus [illegible] et ut [illegible]
[illegible] [illegible] dividitur linea [illegible]//
ascendente et descendente et
transversale sive collaterale [illegible]//
[illegible] descendens [illegible] [illegible]
[illegible] [illegible] ut
[illegible] linea [illegible]
[illegible] [illegible] [illegible]
[illegible] descendit [illegible]

linea

transversalis sive collateralis [illegible]
[illegible] descendentes ab eodem
et [illegible] ab alio [illegible] gradus [illegible]
[illegible] [illegible] [illegible] habi//
tudo [illegible] [illegible] [illegible]//
sanguinitate [illegible] [illegible] [illegible]//
sit quo [illegible] [illegible] [illegible]
se [illegible] [illegible] consanguinitate
[illegible] gradus [illegible] [illegible] linea
ascendente vel descendente et
[illegible] [illegible] transversali
[illegible] de [illegible] [illegible] sit
prima regula [illegible] ascen//
dentium et [illegible] descendentium
computande [illegible] [illegible] [illegible] [illegible]
et [illegible] sit media [illegible] primo
gradu sit pater et filius descen//
dendo et filius et pater ascendendo
Si [illegible] [illegible] media [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] extremis [illegible] quot [illegible]
[illegible] tot [illegible] gradus [illegible] [illegible]
[illegible] [illegible] et [illegible] distat [illegible]
gradu quia [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] gradu quia [illegible]
[illegible] [illegible] et [illegible] et [illegible]//
[illegible] gradu [illegible] [illegible]
gradus sit [illegible] [illegible] et
habitudo [illegible] [illegible]
gradus [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible] [illegible]
gradus [illegible] [illegible] [illegible]
[illegible] [illegible] addita [illegible]
et [illegible] addita [illegible] [illegible] [illegible]
gradus et [illegible] ut sit
[illegible] gradus [illegible] [illegible]//
[illegible] [illegible] excepta [illegible]

2a pa

tot sunt gradus quot [illegible] [illegible]//
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible] [illegible] secunda
regula [illegible] transversali
que [illegible] [illegible] [illegible] [illegible]
descendit ab alio [illegible] [illegible]
[illegible] [illegible] [illegible] equali [illegible]
[illegible] equaliter distantes [illegible] ut
stipite [illegible] [illegible] quotto gradu
qui [illegible] [illegible] distat [illegible] [illegible]
a stipite totto distat [illegible] se
[illegible] [illegible] [illegible] [illegible]//
[illegible] stipite [illegible] [illegible] et
[illegible] a stipite [illegible]
[illegible] [illegible] linea [illegible] [illegible]
[illegible] distat a stipite [illegible] gradu
et [illegible] [illegible] tertia [illegible]//
linea [illegible] quotto gradu
remotior distat [illegible] stipite
totto distant [illegible] se [illegible]
[illegible] [illegible] stipite [illegible]
[illegible] et [illegible] filius [illegible]
[illegible] [illegible] linea [illegible] [illegible]
[illegible] remotior quia distat a sti//
pite [illegible] gradu [illegible] et [illegible]
[illegible] distat [illegible] gradu et
distat [illegible] gradu [illegible]//
[illegible] linea descendendo [illegible]
ad gradum equaliter [illegible]
quia [illegible] filius [illegible] [illegible]
[illegible] [illegible] distant [illegible] gradu
[illegible] [illegible] [illegible] regule est
quia [illegible] [illegible] linea [illegible]//
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] stipitis [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] remotior
[illegible] stipiti quarta regula

3a pa

[illegible]

cons^ce gradus e in linea ascenden//
te uel descendente quam in transu//
sali et ee [illegible] e quo plus
[illegible] plus [illegible] plus [illegible]
[illegible] magis e [illegible] lege [illegible]
[illegible] primo gradu in linea recta
quam in transuersali et [illegible] fuit con
[illegible] in quarto et [illegible]
[illegible] admirem quam pater ad filiam
[illegible] in decreto [illegible]
eo quod uxor [illegible] est [illegible]
[illegible] ~~e caput~~ [illegible]
e ei [illegible] quo [illegible]
[illegible] et [illegible] aliis e [illegible]
[illegible] qui e caput [illegible]
[illegible] apostolum [illegible] ho[illegible] capitu
[illegible] ex[illegible] exclusit [illegible]
et [illegible] [illegible] [illegible] dere//
linquet [illegible] et [illegible]
[illegible] et [illegible] statuta
[illegible] [illegible] [illegible] [illegible]
de [illegible] ueletum [illegible]
[illegible] et [illegible]//
[illegible] [illegible] hoc [illegible]
[illegible] ut [illegible] [illegible] alibi
[illegible] de elephantis [illegible]
ut [illegible] [illegible]
[illegible] [illegible]
ad illud [illegible] [illegible]
consanguinitatis [illegible]
linea [illegible] et [illegible]
[illegible] impedit [illegible]
[illegible] linea [illegible]
[illegible] quo ad [illegible] gradum [illegible]
et [illegible] [illegible] [illegible]
e [illegible] et [illegible] et est
[illegible] [illegible] [illegible]
[illegible] distantie [illegible]
[illegible] debet [illegible]

et [illegible] quod debeat [illegible]
[illegible] [illegible] linea de//
scendentium et ascendentium [illegible]
ut [illegible] ad [illegible] plus ad [illegible]
[illegible] in [illegible] linea
[illegible] quorum [illegible] descen//
dit ab [illegible] originaliter [illegible]
[illegible] mater [illegible]
[illegible] et filia et [illegible] et [illegible]
[illegible] et superioritatis
[illegible] ad filios [illegible]
[illegible] [illegible]
[illegible] et [illegible]
[illegible] est aliquorum [illegible]
ut [illegible] fuit et [illegible]
[illegible] relinquet [illegible]
et [illegible] ad [illegible] con//
[illegible] de//
[illegible] [illegible]
linea [illegible] quam [illegible] adam
[illegible] hodie [illegible]
possent [illegible]
[illegible] [illegible]
[illegible] [illegible] distare
quod posset [illegible] licite [illegible]
[illegible] ut [illegible] quod [illegible]//
[illegible] et [illegible] retrocedere [illegible] aliquo
[illegible] retrocederet [illegible] plus [illegible]
[illegible] ad [illegible] [illegible]
[illegible] quod plus [illegible]
ex filio et [illegible] aut
[illegible] [illegible] et [illegible]
et filia [illegible] aut soror
aut [illegible] quod [illegible] et [illegible]
[illegible] filio eius aut filia [illegible]
e [illegible] quod [illegible] debet
ei [illegible] et [illegible] aliud [illegible]//
[illegible] et [illegible] igitur
ex distantia [illegible] [illegible]

[illegible] quod [illegible]//
[illegible] et filia filii et
[illegible] et quotiens [illegible]//
[illegible] etc. [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] in linea transuersali [illegible]
[illegible] et [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] quibus [illegible] licet [illegible]
[illegible] lege [illegible] uxorem
[illegible] [illegible] [illegible]
[illegible] [illegible] filiam filii [illegible] et
filie [illegible] [illegible]
[illegible] uxorem [illegible] uel patrui
[illegible] uxorem [illegible]//
[illegible] habebat [illegible] filiam
[illegible] [illegible] uxor [illegible]
[illegible] filia filie eius demum
[illegible] impedit usque ad//
quartum gradum [illegible] et
[illegible] [illegible] [illegible]
e [illegible] [illegible]//
[illegible] dum [illegible]
[illegible] ad [illegible] uxores
aliquo [illegible] ad [illegible]
[illegible] attinet [illegible] gradu
[illegible] e [illegible]
[illegible] et auget
[illegible] [illegible] quod
[illegible] ut [illegible] quod [illegible]//
[illegible] habitat [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et
[illegible] [illegible] prohibetur
et [illegible] [illegible] [illegible]
antiqua usque ad [illegible] gradum
prohibito [illegible] quod [illegible]
[illegible] [illegible]
[illegible] et [illegible]

[illegible] [illegible] [illegible]
[illegible] [illegible] fuit
[illegible] [illegible] [illegible]
gradus [illegible] magis
[illegible] [illegible] de//
[illegible] et affinitate [illegible]
[illegible] [illegible] prohibitio
quo ad [illegible] gradus erat
[illegible] et [illegible]
quod [illegible] [illegible]
[illegible] ad [illegible] gradus [illegible]
extendebat [illegible]//
[illegible] [illegible] ad illos
qui [illegible] attinent [illegible]
gradu [illegible] [illegible] ad [illegible]//
[illegible] erat [illegible] quod
[illegible] [illegible]
et [illegible] [illegible]//
[illegible] prohibito [illegible]
[illegible] usque [illegible] ad//
[illegible] gradum [illegible] prohibitio
quod [illegible] usque
ad illum gradum [illegible]//
[illegible] et [illegible]
prohibitis dispensacio [illegible]
[illegible] eius [illegible] dispensacio [illegible]
[illegible] [illegible] ex [illegible]//
[illegible] [illegible] [illegible]
dispensacio [illegible] de//
[illegible] [illegible] [illegible]
[illegible] [illegible]//
[illegible] gradu et [illegible]
gradu [illegible] [illegible]//
[illegible] ex [illegible] filius et
filia [illegible] lege [illegible]//
[illegible] permissum fuit [illegible]
[illegible] [illegible] [illegible]
[illegible] posse [illegible]

Dis 91

de affinitate

gemiti moratur et ne preveniat
ad perfectam etatem. Hec de spo(nsalibus).
Nunc dicendum de affinitate de//
qua est primo videndum quid affi//
nitas est. Similiter quedam ap//
propinquitas ex carnali co(pu)la
non prima alius consanguineus gratia
sed quia prima alicui copulata
carnaliter est consanguinea alte-
rius alicui et ideo illa cui co//
pulatur dicitur affinis eius et e converso.
Et dicitur huiusmodi affinis a
accessio ad fines quia cum ac-
cessat ad fines de consanguinitate
alicuius accedit per hoc ad fines
eius consanguineis et ideo [illegible]
ad omnes dicta consanguinitate et dixi
quando carnali co(pu)la quia non
solum per legitimam copulam sed etiam
fornicariam ex qua nata est
proles consistit affinitas
non autem per alterius actum sine
commixtione sed solum [illegible]
non est commixtio seminum [illegible]
procedit ex maritali affectu [illegible]
[illegible] coniugale commixtione [illegible]
[illegible] ad affinitatem
ut habetur 35 q. 3 c. Ex
[illegible] ita quod [illegible]
consistit affinitas [illegible]
[illegible] semen [illegible]
[illegible] et [illegible] alia [illegible]
semen [illegible]
non causat affinitatem [illegible]
affectu maritali et [illegible]
[illegible] et [illegible] copule
[illegible] Secundo videndum est que sit
regula de gradibus affinitatis.
Et quotto gradu consanguineus
alicuius distat ab aliquo totto

gradu affinitatis distat ab al//
iquo ipsa que est alterius carnaliter
cognita et ideo [illegible] uxor
et hec non recedit [illegible]
est non [illegible] uxore [illegible]
[illegible] et [illegible] consistit
affinitas consanguineis [illegible]
non [illegible] ad affinitatem [illegible]
[illegible] uxor [illegible]
[illegible] ut habetur 35 q. [illegible]
[illegible] de coniugibus [illegible]
[illegible] quomodo [illegible]
[illegible] aliquis [illegible]
[illegible] aliud [illegible]
[illegible] affinitatem non [illegible]
[illegible] carnali ex//
[illegible] in affinitate [illegible]
consistit non [illegible] uxor [illegible]
[illegible] cognita [illegible] uxor
non cognita et [illegible]
illa [illegible] qua [illegible]
sponsalia. [illegible]
[illegible] copula [illegible]
[illegible] honestatis [illegible]
[illegible] ex antiquis [illegible]
[illegible] affinitatis [illegible]
[illegible] causat [illegible]
et consanguineos [illegible]
[illegible] et consanguineos [illegible]
Secundum genus affinitatis [illegible]
[illegible] personas [illegible]
copula primo genere. Hoc modo
si uxor fuit [illegible] que est [illegible]
affinis primo genere affinitatis [illegible]
[illegible] [illegible]
[illegible] affinis [illegible]
genere affinitatis [illegible]
antiqua non potuit accipere

208

91

208

aliquam de consanguinitate [illegible]
mariti usque ad quartum gradum
[illegible] et [illegible] genere affinitatis
habetur 35 q. 3 c. [illegible]
[illegible] genus affinitatis [illegible]
[illegible] personam [illegible]
copula [illegible] genere. Hoc modo Petrus
fuit maritus relicte [illegible]
[illegible] relicta Petri [illegible]
[illegible] affinis [illegible] genere [illegible]
[illegible] affinis [illegible] genere et
illa [illegible]
[illegible] copulata [illegible]
de consanguinitate tua usque ad [illegible]
gradum. [illegible] genere habetur
35 q. 3 c. [illegible] quarto
[illegible] copula [illegible]
et [illegible] consanguineos [illegible]
[illegible] consistit affi//
nitatis [illegible] et [illegible]
[illegible] est consanguinitas [illegible]
[illegible] consanguineos
[illegible] et [illegible]
consanguineos [illegible] et [illegible]
[illegible] consanguineos [illegible] et
consanguineos [illegible] non con//
sistit affinitas. Unde [illegible]
[illegible] consistit [illegible] po//
[illegible] et filius [illegible]
et filia [illegible] est affinitas [illegible]
cognatos [illegible] et [illegible]
et [illegible] cognatos [illegible]
et [illegible] quam [illegible] po//
[illegible]
[illegible] primo [illegible] adillud
[illegible] 2m et 3m genus af//
finitatis [illegible] impedit
matrimonium [illegible] revocatum

est [illegible] genus [illegible] consan//
guinitate et affinitate [illegible]
[illegible] et [illegible]
[illegible] affinium et difficultate
computacionis [illegible]
[illegible] [illegible]
[illegible] [illegible] quod [illegible]
genus affinitatis [illegible]
[illegible] impedit [illegible] et
[illegible] usque ad [illegible]
gradum [illegible]
[illegible]
[illegible] et consanguinitatis [illegible]
[illegible] [illegible]
affinitatis et [illegible]
[illegible]
[illegible]
ad [illegible] et consanguineos uxoris
[illegible] ut [illegible]
[illegible] ut [illegible] consanguineos [illegible]
et [illegible] debuit [illegible]
consanguineos [illegible] usque ad//
[illegible] gradum [illegible] consangui//
[illegible] uxoris [illegible]
[illegible] matrimonio [illegible]
[illegible] antiquitus [illegible] genus
affinitatis impediebat matrimonium
usque ad [illegible] gradum [illegible] et con//
sanguineos [illegible]
[illegible]
[illegible] affinitatis [illegible]
affinitatis [illegible]
[illegible] ut [illegible] mariti
[illegible]
consanguinea uxoris [illegible]
culpa contracta est excludit [illegible]
[illegible]
[illegible] ex sponsalibus [illegible]
[illegible] causat quedam [illegible]//

2°

3°

ratione alterius et primi status qui vocatur publice honestatis iustitia quod impedit matrimonium sicut consanguinitas et affinitas et similiter eosdem gradus. Si sponsalia sunt nulla propter defectum consensus sicut in furiosis infantibus et metu coactis ille non inducunt publice honestatis iustitiam ex defectu li. vi. de spon. Sed si sponsalia sunt nulla alia ex causa quam defectum consensus sicut propter defectum consanguinitatis affinitatis voti vel alius huiusmodi causa publice honestatis iustitia. Et si contrahentes validant de impedimento de cetera. Aliud genus affinitatis quod oritur ex cognatione legali. Et quomodo oritur ex cognatione legali est quidam proximitas proveniens ex adoptione. Adoptio autem similiter persone extranee in filium vel nepotem et deinceps legittime assumptio et dicitur hec quasi per generationem naturalem producit filium ita quasi postea quod si aliquis assumat filium ad suppletionem defectum filii naturalis et huiusmodi assumptio vocatur adoptio et sic natura facit de uno filium filium per adoptionem quia dicitur assumptio extranee persone in filium. Sed tamen oritur ex hac legali cognatione quidam quasi linea descendentium que consistit inter patrem adoptantem et filium adoptatum et filium filii et deinceps (?) et collateralium inter filium adoptatum et filium vel filiam naturalem

Hec est proximitas affinitatis que est inter patrem adoptantem et uxorem filii adoptati et etiam inter filium adoptatum et filium vel filiam naturalem (?) et uxorem patris adoptantis. Prima illarum est linea descendentium perpetua quia pater adoptans non potest contrahere cum filia sua adoptiva vel nepte nec cum illa que fuit uxor filii sui adoptivi nec etiam post emancipationem. Sed filius adoptivus non potest contrahere cum ea que fuit uxor patris sui adoptivi ut habetur ff. de ritu nuptiarum. Secunda vero est collateralium quod durat quamdiu durat legalis cognatio sive adoptio. Cum cessat ut emancipato filio adoptivo potest admittere contrahere extra de cognatione legali c. i. Si qua (?) Tertia est quedam et tertia collateralium est per reverentiam quod si hec adoptatur et uxor eius adoptatis et uxorem eius et non habet perpetuam prohibet matrimonium contrahendum et dirimit contractum. Sed certa collateralium est per institutionem filiarum quod proveniunt ex adoptione et ideo eo durante durat et eo cessante cessat. Sed adverte quod predicta adoptio dicitur ex eo quod fuit ordinata propter filiorum solatium sed ex ratione sicut etiam (?) in ius civile sed nunc tota adoptio sicut dictum est impedit et dirimit contractum

admittenda et dirimenda admonitio illa tamen est alterius sed quod inter coniuges est ita quod est inter consanguineos est et inter illos ad actum generatos. Sed adverte quod de affinitate ex affinitate quod est effectus matrimonii precedens non impedit id quod impedit aliud inter istos inter quos matrimonium contracta est affinitas. Adverte quod ex affinitate contracta per vel carnalem vel per uxoris cum matrimonio sequenti impedit matrimonium proposito sed post matrimonium contractum affinitas superveniens non dirimit et ratio est quia ut impedimentum de futuro quod non de presenti et ut dictum fuit impossibile ibi (?) quia petendi debitum propter illud tamen et post mortem uxoris sine coniugio permaneat ut patet ibidem etc.

Margin notes:

92 § / De cognatione legali

Adverte

Adverte

Ad. et (?)

Circa d 43 q(ue)ro utru(m)
generalis resurrectio
mortuorum futura sit
subito. Et videtur q(uod) non q(uia) p(ri)me
thess 4 dicitur mortui qui in xpo
sunt resurgent primo deinde nos
qui vivimus et illi qui conveniunt
nobis in adventu qui resurgent
primo et deinde isti rapti ob/
viam morientur et postea re/
surgent ergo non erit simul resur/
rectio istorum et ipsorum et ...
cti [illegible] augustini 2o dei 20 ca(pitu)lo
2e item in effabili velocitate
redimus antiquissimorum cada/
verum in membra sua prima virtute
ipse apostolus apertissime dixit
velox erit et tarde secundum pl(ur)imum
ipse declarant et eadem li(bro) ca(pitu)lo
9o ad in morte corporis in ma
velocitate superbie sic in ordine
ad quod possunt recipere quod in
illa qui recipiet formam novam
possunt subalia forma incorporea
et in forma qui possunt in eodem/
spectare angeli monemus ac quod p(ro)
[illegible] 19 de [illegible] ...
in monisterio [illegible] auctor augus(tinus)
addunt dei [illegible] ad [illegible] [illegible]
bonum [illegible] subito [illegible]
et angeli [illegible] et q(uod) in [illegible]
erit [illegible] notandum q(uod) secundum dominum
[illegible] e iterata [illegible] quod
reddit reddit eius totum homo
[illegible] eius intellectu [illegible]
et [illegible] reddit corpus [illegible]/
tam in [illegible] ut [illegible]
corpora et [illegible] fit ordo
[illegible] et [illegible] ut probat
[illegible] ordine omne corpus

reparari quam animam recanimari cor/
pori ipsum reparatum corpus [illegible]/
reddit collectio pulveris ut prius
erat qui dispersi erat resolutionem
corporis in diversa statim et nunc mor/
ra primo ergo [illegible] [illegible]
permixta [illegible] quod est collectio p(ri)/
ma corporis 2o deinde inductio
forme corporis per deinductio
et dispositione corporis et 3o dis/
positione eius ad corpus et primo
dico quod fiet ministerio angelorum
et [illegible] [illegible] [illegible] ex illo
[illegible] [illegible] [illegible] et mittet
[illegible] [illegible] angelos suos cum
tuba et voce magna et con/
gregabit electos suos a 4or ventis
a summis celorum ad terminos eorum
quod est dictum [illegible] dispersi
fuerant partes omnes [illegible] per mun/
dum per [illegible] [illegible] ter/
[illegible] [illegible] ad terminos [illegible]
per [illegible] corpus [illegible]
aqua ut aere ut [illegible] aut
[illegible] mixtum ex 4or ventis
[illegible] partes eius recolligunt et
reuniunt et [illegible] [illegible] quod doctores
communiter dicunt quod angeli hoc non
possunt facere subito sed in [illegible]
et est [illegible] [illegible] quod corpus in
motu medium resistit non possit
subito mutari [illegible] [illegible]
sit [illegible] [illegible] angeli
in medio non resistit 2o de
dicto [illegible] [illegible] ad [illegible]
[illegible] 2o [illegible] [illegible] formatione
et organizatione corporis ex [illegible]
collectis dico primo quod fit ministerio
angelorum [illegible] quod communiter dicunt

doctores [illegible] secundum librum quod
[illegible] [illegible] [illegible] introdu/
ce formam corporalem in materiam
sed [illegible] [illegible] applicare activa pas/
sivis [illegible] quorum actione in/
[illegible] [illegible] in materiam [illegible]
[illegible] [illegible] activa passivis
ex quorum actione [illegible] corpus hu/
manum formam et dispositionem
prosuscepte [illegible] [illegible]
adformationem et organisationem
corporis [illegible] [illegible] [illegible] fa/
ciunt angeli [illegible] quod orga/
nisatio et formatio corporis huma/
ni [illegible] activa et passiva naturalia
sit [illegible] determinatis instrumentis
et determinatis modis [illegible] [illegible]
[illegible] et [illegible] loco ut
[illegible] et [illegible] quod
semen [illegible] est [illegible] [illegible]
[illegible] quorum [illegible] erit [illegible]/
[illegible] resurgentium reparatio
[illegible] dico quod [illegible] forma et
organizatio fit subito et [illegible]
[illegible] quod fit [illegible] [illegible] [illegible]
ut dictum est [illegible] virtute divina
[illegible] et [illegible] quod [illegible] [illegible]
[illegible] [illegible] subito [illegible] [illegible]
possit [illegible] [illegible] resistere [illegible]
[illegible] ex [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] velit talia fieri
[illegible] [illegible] [illegible] [illegible] [illegible]/
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] or/
ganizatio et formatio corporis
[illegible] [illegible] communiter doctores quod
[illegible] [illegible] ad corpus fit [illegible]
[illegible] divina virtute et sub/
ito [illegible] [illegible] [illegible] [illegible]

positionem videtur [illegible] [illegible]
probabile quod [illegible] corpore [illegible]
[illegible] dispositio [illegible] [illegible]/
[illegible] [illegible] [illegible] naturalia et
sua virtute [illegible] corpus [illegible]/
formet [illegible] [illegible] quod corpus [illegible]
sit dispositum ad [illegible] [illegible]
et quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et quod [illegible]
[illegible] sit [illegible] [illegible] corporis [illegible]
[illegible] est quod informatio corporis
[illegible] [illegible] et [illegible] [illegible] ad/
corpus ministerio angelorum ut
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] quod possit [illegible] corpori [illegible]
[illegible] forma [illegible] [illegible]/
[illegible] [illegible] [illegible] quo [illegible]
quod [illegible] [illegible] corpora sua
[illegible] [illegible] [illegible] [illegible] [illegible]/
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] augustini [illegible]
[illegible] illud [illegible] allegatum
20 dei [illegible] capitulo [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible]
in adventu iudicis [illegible]/
[illegible] [illegible] [illegible] [illegible]/
venient [illegible] quod [illegible] [illegible] apostoli
[illegible] rapientur obviam ubi ut
probabile est secundum augustinum morientur
et subito [illegible] resurgent et postea
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] augustini si [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
obviam rapientur [illegible] in/
[illegible] [illegible] [illegible] [illegible]

patres et adeo cum mox in mor
bos redituros cum in vitis
ipsi parient angustiat hic
et ipsi videant dicta verba
apostoli dicentis omnes quidem
sic resurgent primum omnes
non omnes immutabimur ubi f m aug
apostolus tunc ut antequam omnes
morientur transfigurabat
quoniam illos qui inveniuntur
vivi sicut aut illi qui in ad
ventu inveniuntur
oriantur omnes in ictu oculi
resurgent cum veniunt ad
alios reliqui corpore corpus esse
corpus mortuum esse ex aliquibus corpus
partes erunt admirante primo
quaeres et tunc reportaret quod
reparatis stratum divina vir
tute et in eo oriuntur corpora
et cum eis oriuntur et aliorum
corpora partes magis disper
sarum reportaret et illo
divina virtute congregaret formaret
rent corpora et maret corpus
est esse ex omni corpus partes plus
reportarent omnes ipsos totus partes
quod sicut et quod alibi congregatas
et collectas dei mortuo partes sit
omnia corpora organizaret et dis
poneret et sic omnimodis animam
suam uniret et omni illorum
fieret adeo in ictu oculi sicut ipse

Sciendum autem quod
fiet sicut in
omni die mortis ut aliquo
alio dum fuit dictum aliquibus
dici vel quod mortem in prima pte
tre ipsius omni die mortis in orro
rizonte illius noto orizonte

est meridies et de singulis
aliis possibile assignare idem multi
in mortem resurgent in qua
hora diei hic tempora mora
etiam et quando vel quae
omnia sicut ita quod de hora re
missione tempus exaete qui
de hora reliqua partes aetati
regione ubi erat mundus re
surgentium et quo separatim
fuissent ut videntur fuissent
non ut per verbum ipsa certe vel
in plus latum pulveris collec
torum et tunc non est quod dico
ut si resurgent in diversis locis
forte ubi sepelientur vel
ut pulveris de singulis locis col
ligerent eodem loco quod dicit
quod eodem scilicet eodem loco
quoniam eodem et illo loco
fient et omni vero aut sicut
pulveris ipsius corpora ipse ul
timate et sicut resolutum in
si materia parte ignis tanta
aque tantum terre et in partes
ignis sit in aere mox globus
fumorum super partes quoniam
terre et alia partes sit ut dicitur
in conformitate opposita diya
onerari in ipsa ignis et ita
quod sit in primo cuius ut cum
primo aque et post terra et
post sit omnibus consilia ipsius
non dicunt pulveris ut vult
non ut dixit aperuntur
locus et aer et ventus non con
tollerent ipse pulveris quod in ipsi
tate currentes in sepulturis usque
additamento dispersione ac dispersi

si conveneret cuiusque totalis
in quacumque partes sicut sit re
solutus ita colligunt et quae
collectis ex omni parte et quae
fuit in adeo tantus corpus
tunc ita corpus illud iste
locus aut pulveris quaecumque
formatur totaliter premissis ut
vel quod respiciat ut aliquod
dictata ibi ut tunca per
futura sed propositi quando
etiam cum aut curia si re
surgent corpus Christi in terra et
postea etiam in plus uno
in hora quod ex tunc de ex
oriundo morte autem quod resurget
adeo illo et sunt iudices aut
dum sit fuit in morte ita ve
niret quod cum vero quod est
illorum quod quod sit primo adhuc
possibile per quam fuerit singulis
tunc plurale magis ex ad
qui fuerunt rerum tempore secunde
bunt ipse in et ad alios et
adeo cum illud secunde
bunt adeo et omnes ut
sit vero ultimato et postea
ex tunc in loco indiv et illos
cum sit tenebre in medio noctis
ea ergo hora forte hic opus
perficeret quod in partem quaedam
ipsa regione resurgentibus
mortui ut ea hora si
moderatus in epistola ut ea
qua specialiter vocentur de
hac recta cum habitu ex parte
tura et quaecumque illorum po
nat exponendo id quod

morte in pulchritudine ut

Tercio dum videtur resurgent
hic resurget totus
quod fuit de veritate
omnis humane et omni quod nec ulterius
in fuit dei omnia corpus ex
adam et resurgat eo cui
velle tunc ut erat in resurget
quod cum id quod fuit mea de
veritate humane ex parte
ut adam cum resurgent in
toto quod fuit de veritate omnis
humane quod in toto resurget
idem cum resurget in diversis
si quod fuit de veritate tantum a
vero sit in continentiam alii
et postea quod in virtute eius
omnis et sinistre de veri
tate cum in dubiis et in
alio cum resurget quod sit fuit
de veritate humane in sepo
quod quod fuit forte cum est
gentilis transmutarentur forte
sicut in alio et postea ex
ante alio et genita ab illa
aut eodem de veritate omni huma
ne restituit secundo cum ex ex
aliquo quod resurget quod fuit
de natura humane omnes terra
ut redeat semper eodem modo
quod reddit si qui terre defectus
dicere eodem de singulis omnis
fuit et plurimi organis et
tunc reparata quod parte erat quod
resurget id quod fuit de veritate
in quo quod est secundum augusti
num et post mediam cum
ita antequam repellit ut id

eandem corporis partem ubi fuerat
redire necesse sit aliquem ex capillis
redit quem tam crebra
tonsura detraxit et subdit
quemadmodum statuam metalli
liquescentis et eam vellet artifex
rursus ex eadem reparare non interest
ad eius integritatem quae particula
materiae cui membro statuae redde-
retur dum tamen tota restituta
resurget itaque [illegible] de
toto quo caro mea extiterat
eadem omnimodi celeritate resti-
tuet ut etiam attinebit ad in-
tegritatem non capilli ad capil-
los redeant aut ungues alias
revocentur tamen artifex pro-
videntia ne quid indecens fiat

Quomodo — Quomodo [illegible] ubi [illegible]
quod caro mea restaurabitur in
toto quod extiterat. Libro [illegible]
ipse dicit [illegible] et [illegible]
[illegible] capillis decerptis [illegible]
[illegible] supplendo [illegible]
continue [illegible] quod [illegible]
sunt deminutione [illegible]
[illegible] et supplendo
quod adveniente [illegible]
[illegible] et [illegible]
[illegible] quod sunt aliqua
[illegible] continua ut
quod sunt [illegible]
sunt in [illegible] quod sunt
[illegible] tota [illegible]
[illegible] resurget [illegible]
[illegible] partes [illegible] fluxe-
runt [illegible] tota parti
et aliae [illegible] redibit [illegible]

tum si [illegible] ille redierit [illegible]
[illegible] erit corporis eius [illegible]
[illegible] [illegible] ut [illegible]
[illegible] dato [illegible] ille
quod [illegible] fuit [illegible]
resurgat [illegible] [illegible]
[illegible] partes resurgent ad eo ut
sit [illegible] [illegible]
[illegible] [illegible] erit
[illegible] [illegible] etatis
sue si tamen [illegible] vixisset
[illegible] [illegible] quod [illegible]
formaliter [illegible] ut [illegible]
[illegible] intelligo [illegible]
id si [illegible] arbore
ille impediens [illegible]
[illegible] quantitate [illegible]
[illegible] [illegible]
[illegible] ut reddat [illegible]
quod [illegible] parte [illegible]
[illegible] [illegible]
[illegible] quod ex impedimento
[illegible] ut [illegible]
[illegible] aliquod ut [illegible]
[illegible] aliud [illegible]
[illegible] aliud [illegible]
quod corporis illud [illegible]
[illegible] aliqua
[illegible] partes [illegible] corporis
habebit totum illud quod [illegible]
[illegible] [illegible] quod illud
fuit purissimum et [illegible]
[illegible] [illegible]
usque ad [illegible] toti corpori
[illegible] [illegible] [illegible]
ut [illegible] ad [illegible]

quantitate sue [illegible] [illegible]
[illegible] usque ad [illegible] augmen-
tatus [illegible] [illegible]
tum ut si [illegible] illud quod
fluxit aliud [illegible] augmen-
tationem ut sic [illegible]
[illegible] [illegible] fluxisset
[illegible] quod [illegible] est [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] toto [illegible]
quod fluxit [illegible]
[illegible] aliud [illegible]
[illegible] [illegible] est [illegible]
[illegible] [illegible]
[illegible] ita quod [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] secundum illud [illegible]
[illegible] resurget corpus [illegible] quod
[illegible] [illegible] et
[illegible] [illegible]
[illegible] [illegible]
[illegible] usque ad [illegible] illi
corpori [illegible] [illegible]
[illegible] quod [illegible] est [illegible]
[illegible] resurget [illegible]
[illegible] illud est [illegible]
[illegible] partes [illegible] secundum [illegible]
[illegible] est [illegible]
[illegible] [illegible] Sed
[illegible] [illegible] [illegible]
[illegible] [illegible] post
hunc [illegible] [illegible]
[illegible] [illegible]
[illegible] secundum totum
fluxum [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]

[illegible] fluxit [illegible]
[illegible] [illegible] partes
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] deperditi fuerunt [illegible]
[illegible] fuerit [illegible]
Sed non [illegible] est dubium quin
resurrectionis habebit eandem
[illegible] quod sunt hic [illegible]
[illegible] quod non habebit [illegible]
[illegible] quod sunt [illegible]
[illegible] [illegible] habuit
totam illam [illegible] quod sunt in
aliquo [illegible] quantum
[illegible] illam [illegible]
habebit totam et alias partes
quas [illegible] sunt [illegible]
[illegible] erit [illegible]
[illegible] est [illegible] idem [illegible]
[illegible] si erit idem [illegible]
quod [illegible] sunt [illegible]
[illegible] [illegible] alia [illegible]
[illegible] si erit idem [illegible]
illud quod [illegible]
[illegible] erit aliud [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] sunt [illegible]
[illegible] [illegible] sunt
[illegible] [illegible]
[illegible] [illegible]
data [illegible] superflua que
ad [illegible] si [illegible]
ad [illegible] [illegible]
[illegible] [illegible]
[illegible] secundum [illegible]

aliter — adverte

Materiam aliud est in ista tamen continuatur cum eo quod creando eam et ita fuit decisa ut si omnino similis prima fuit [illegible] primum anima [illegible] integritas [illegible] tamen [illegible] aliud costa [illegible] costa translata [illegible] costa [illegible] Adam dicitur [illegible] ad finem [illegible] humane [illegible] et in resurget [illegible]

[illegible] aliud essentia [illegible] illud quod modo resurget [illegible] resurget [illegible] resurget [illegible] resurget [illegible] [illegible]

[illegible] resurget [illegible]

Q[illegible] integra resurget [illegible] resurget [illegible] integritate [illegible] resurget [illegible] capillis [illegible] resurget [illegible] homo [illegible]

[illegible] et [illegible] et [illegible] resurget [illegible] homo [illegible] resurget homo [illegible] resurget [illegible] integritatem [illegible]

dina nu subest qu volunt q
q vellent ut cu ei p ee
alia disp one qua no possit
plilito tollo t os resurgentes
in membris integre Et conff
q no om facit aliq dina
infinali repatoe humane nequ
adeo q adnam ptinet q
ferit ipa amplitudine ne Di
ci. di ppleta pus opa ipm
ut dr Gen primo conformi
dnt ee pfecta ipme q ad
ca hrise q adnaz ptinent
qd ptamto dr q ipnd dey
tanit q hoies no pludqm
adea q adnam ptinet pd
adit q gratuita Amo gram
grata faciete sin michos
q m pfcid boies qt a repu
pabit dey bonos et ma
lus et mobili repabit ea
q pe ne nisi ad boni
et mali ptue q no repa
bit mobili ea q pd orep
pfcid mclott a mpa mpi
tuoe dey tamit hoies m
ppleta integrite t omnie
repabit eor ptie qidem
qt q repabit eos integre
eors q 3o ptinet adinte
gritate hois Ad 3m dr
q membra quorz nij aliqs
ipm adhut remacbt ibi
ut ptinentia ad integritatem eor
huam et pfectam eis aut
cedat corum aliq Ad 3m
dm q sx e humor i hoie
Ad q e radia adcorruptor
et ana abiit tamq pnt

superflum sz urina sudor sa
vies Alii e humor q ana
ordinat adgntacoem pro cfi
vatoem spei rel o individui
sz pacto gnatue sz pmoi
ut pactio mixtue pslat et
m illud hi p eid resurgetmeas
resinnet as hoc mode
q po ados no et alique quo
individui gnat ut mutat
abatio a pcid conuspctis in
corpo subsistat Ad 3 e humor
anchoie q no dnd e quasi
i humid nat fit e mixta
qdpositis pt sanguis et alij
tres humores q ptinent int
ptes coris et q ptinet ad
pfectionem eius i individui nq
ptinet et ita resurget ad hoc
qd qt q ade ca dd ee
pformis ade ex a anx po
ad om sunt sanguis aliqd no
supbaret mixt ommi i sanguinez
xpi m illud et ead roe pd
mco alij tres humores qua
sanguis et no q q toto
sanguis que ho hunt ppria
resurget ergo a resurget
in tanta qutte quanta corpi
ppetit sno statu et ana pas
tura t ies Ad 3or pt adabat
pbatoes Ad 3 i9 ri arti hu
inod ees eam impedibut
ees gloss no mina qdpsi
i pforn hois ut q sint actu
i formati aiad sed a q
hunt ordine adpam ut
quedd ph ra adeo mter

tate 3om dictad

Quintad dum qtend modo mi resurget nd ante pnis congruus et cap pillis Ad 1 dr no nd in tesinis ar q ita sint adcorruptoz sup plutatis i pse h illi no est hus supfluitas t ts Ad m ñ resurgent nd cu aut ipa ent vana aut plena sima rua tur eur imp ffta a ple na tur i ordia nd eg q m ers pratui pte cpetat pe ns et q capilli et ongues no corident exhac ex no f decente ore Ad Ider q hoies resurgent nd m tesinis am guibus et capilli Ad nd an tesinis pz pbtm aug m ai dei dr directo m i redebut iusdis que nm dey no coi dent hec ita pulchritudo ois delectabit ut et forme appareat que actis placet am mcl iudicu pferat Respff q h no ppetiss i m conuenentia ipe sn alij aliqp tue suslatu susss ad anor a h no q eris sit nd in tesi nis vgis illa habuiss mgtad decapill et ongu is pz q plato iliud e denunpstue ore t alis e depstue h ac qd e depstue ore re surget et qd e decernatu t ms Ad 3m Aug m ai dr q ture no habebut ipiud ipd quem mine sz corpe supflua

sup corp tue cat ons pd intd lectuale oblatae itam pulch armonia et compostoe hos est m ni t grubus i q laudabit ad sepiam conditores et ct sup demtegre hois ut adem dr q eur plena a no sup fluitatibus ut ome Ad 3m boza q mebililis spurbus et humoribus cstond corpus reddet agilis ut forte eur plena ae spa omes omnio cur pti ut dependo tali empirrey ad alimnd qtz q lis cap pilli no sint de eon a ore hume h sit adornatu

Quarto dum orts corpa resurgent sn differe ormitatibus qs hic ha buerunt Ad 3m q no ei xi sunt exemplar me ous a corp resurrext nd cicatricibus sue que es cst cur ehoe ut Ad Ioh 20 et in ceatrices quadam difformitate hunt i cri q oes motui nd sus differtibus resurget Ad 3m et spal dr reptis pena dd remanda manete culpa a aliq remiti tunt hir mepa ut pena qtti deq o pctu po a mnq pemret et culpa ouq re omittit t pena dd remane Ad 3m dr q difformitates corpe rguiq ar exercad contut i formatie a corp amad reformatis corpa ain ordoe mi pt creat i onnsuli

ad 3m

ad 3m

ad 3m

Ad 3m

resurgentibus non erit aliqua deformitas. Secundo, quia mors coniungit deformitatis sicut amor ex defectu caliditatis et cum mutilatorum deformitas differentiis ex defectu debite extensionis. Tertio coniungit deformitas ex proportione eorum dissentium ut cum [illegible] superfluum sicut sextus digitus [illegible] ut [illegible] superveniente oculo ut alia superfluitates. Modo contra tertio coniungit debita partium dispositione quod calidi et dispositionem ut [illegible] et huius [illegible] ergo dico quod [illegible] impedibus quo ad solutionem est quo ad deformitatem que coniungit ex defectu [illegible] quia ut dictum est quod erit resurget ad [illegible] [illegible] quo ad deformitatem que coniungit quo ad defectum debite quantitatis vel extensionis dico quod omnes resurgent in debita quantitate ad illud quod natura [illegible] [illegible] erit [illegible] et producere ipso [illegible] [illegible] potest [illegible] et [illegible] tertio quia sicut deus [illegible] in [illegible] instituit ita deus [illegible] reparabit sicut [illegible] instituit [illegible] in debita quantitate [illegible] et [illegible] in omni statu [illegible] reparabit et quia omnia dicuntur deficit a debita quantitate [illegible] quia [illegible] [illegible] ut [illegible] [illegible] alio quia [illegible] iam recessit vel [illegible] senibus completa [illegible] etate [illegible] [illegible] habet statum [illegible] et [illegible] et [illegible] in omnia [illegible] reparabit [illegible] [illegible]

cum [illegible] adhuc [illegible] [illegible] ubi dicit apostolus loquens de resurgentibus donec occurramus omnes in virum perfectum et etatis plenitudinis Christi. Christus resurrexit in perfecta etate quam habuit in etate iuvenili que incipit circa 30 annos ut dicit Augustinus in aliquo ipsi etate resurgent [illegible] [illegible] quod habuerunt vel habuissent si ad perfectam etatem pervenissent et [illegible] [illegible] [illegible] [illegible] [illegible] quod [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] etate [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] quod [illegible] et quod [illegible] [illegible] [illegible] complexionis et [illegible] [illegible] excedentes [illegible] [illegible] de deformitatibus contingentibus [illegible] ut [illegible] [illegible] Augustinus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] surgent [illegible] corpora sine ullo vitio sine deformitate sine ulla corruptione. Et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] deformitatis [illegible] infirmitatis [illegible] [illegible] [illegible] [illegible] dimittit [illegible] [illegible] ut [illegible] in [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et deformitate resurget corpus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] quorum [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] resurget [illegible]

in deformitatibus quas hic habuerunt quia deformitates tollentur a corporibus [illegible] [illegible] sicut dampnatorum non [illegible] [illegible] [illegible] tollentur [illegible] deformitates quas hic habuerunt. Sed [illegible] [illegible] resurgent ad ultimam felicitatem sicut dampnati ad ultimam miseriam [illegible] [illegible] [illegible] [illegible] [illegible] pertinet [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] deformitates [illegible] [illegible] pertinet [illegible] [illegible] [illegible] [illegible] et huius deformitates tollentur [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] disponit et organizat [illegible] [illegible] sine deformitate restituet. [illegible] [illegible] huius deformitates remanent in dampnatis [illegible] [illegible] [illegible] ut [illegible] [illegible] [illegible] et [illegible] ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] qui [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] deformitatibus [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] deformitatibus [illegible] [illegible] [illegible] [illegible] huius deformitatibus resurgent dampnati [illegible] [illegible] [illegible] illud [illegible] [illegible] et [illegible] aliud [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] resurgente [illegible] [illegible] ut [illegible] [illegible] [illegible] [illegible]

corpus Christi resurget [illegible] [illegible] [illegible] [illegible] ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] in deformitate qua [illegible] [illegible] [illegible] apparebunt [illegible] [illegible] ut [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] quod pena infligitur [illegible] [illegible] [illegible] et [illegible] pena [illegible] [illegible] [illegible] vita infligitur [illegible] est [illegible] [illegible] [illegible] se extendit ultra vitam [illegible] [illegible] [illegible] [illegible] hic [illegible] [illegible] [illegible] [illegible] hic inflicta [illegible] [illegible] [illegible] [illegible] exigit [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] capitulo [illegible] quod [illegible] erit idem [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] adhuc [illegible] [illegible] [illegible] [illegible] et [illegible] est quod [illegible] [illegible] [illegible] et [illegible] [illegible] et [illegible] resurgent [illegible] [illegible] [illegible] quod iam [illegible] [illegible] [illegible] [illegible] quod id [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] organizatio et [illegible] [illegible] fit subito [illegible] [illegible] [illegible] et introductio forme humane fit subito et [illegible] fit [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] forme [illegible] [illegible] [illegible] [illegible] [illegible]

Secundo circa [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

ad [illegible]

ad [illegible]

digitus unus. Hec dicit corruptibile
est quod participat secundum corpus et pas/
sibile est sed patet de corpore ex/
[illegible] ex potestate et [illegible]
Secundo si id corpus sit impassibile sed non
potest sentire aliquid sensibile [illegible]
[illegible] non sentire sit operatio perfecta
aliis non deesset. Hec [illegible]
patet quia de [illegible] potest corrupi
ab excellenti sensibili. Tertio dicitur et
quod corrumpit ab excellenti id potest
ab eo sed quod [illegible] corrumpi
potest [illegible] claro. Quarto [illegible]
[illegible] est perfectum secundum corpus hoc
non potest mixtum esse nisi [illegible]
[illegible] quorum [illegible] est ex re/
[illegible] et ita [illegible]
igitur aliquid reddibit ad [illegible]
[illegible] et ita aliquid recipit

Quinto dicitur quia [illegible] dicitur
mortale. Hec inducit immortale
et incorruptibile. Hec inducit cor/
ruptionem et illud [illegible] formaliter
[illegible] ex [illegible] dependere
sed non [illegible] secundum realem dicitur
ad passibile sed ex [illegible] potentia
receptiva dispositionem [illegible]
quarum una est [illegible] alia
vero [illegible] ut [illegible] sit possit
[illegible] de una qualitate [illegible]
[illegible] ad aliam [illegible]
et priori [illegible] impassibile non
dicitur quod non [illegible] primum [illegible]
et receptivum illud [illegible]
[illegible] est [illegible] simpliciter secundum
[illegible] sit pati [illegible] secundum
sed ex non [illegible] potentia
[illegible] ordinata et [illegible]
[illegible] impassibile [illegible] Tertio [illegible]
[illegible] impassibilis

cuius corpora [illegible] impassibilia
[illegible] ita ex [illegible]
impassibilis [illegible] glose [illegible]
dit separationem [illegible] et
[illegible] quod posset disponere ad [illegible]
separationem patet [illegible] Secundum
[illegible] motiva allegata et patet
[illegible] quia [illegible] plene
[illegible] [illegible] mortali [illegible]
[illegible] cuius hoc erit [illegible]
[illegible] et [illegible]
immortali et impassibili. Sed de/
[illegible] impassibilis illud corpus post
[illegible] et [illegible]
[illegible] assignatur [illegible] Aliqui [illegible]
[illegible] ex corpora glosa [illegible]
impassibilia [illegible] non
[illegible] quatuor elementorum [illegible]
et passive [illegible] mixtis
[illegible] ex [illegible]
[illegible] erunt [illegible] excellentis
[illegible] secundum [illegible]
[illegible] quatuor [illegible]
[illegible] secundum [illegible] non [illegible]
quia [illegible] tollit [illegible] de/
[illegible]
[illegible] non tollerent [illegible] et dato
[illegible] quod [illegible] dicitur adhuc non
erunt corpora. Ex hoc impassibilia
quia si non [illegible] quatuor
[illegible] [illegible] sus/
ceptiva illarum qualitatum et
ab extrinseco possit alterari et
pati et [illegible] illud non esset
[illegible] [illegible]
possit [illegible] [illegible]
[illegible] non [illegible]
lapide vel ligno [illegible]
[illegible] ex [illegible] quatuor
active et passive ponere [illegible]

glosis [illegible] non [illegible] passibile
secundum [illegible] et [illegible] reducitur ad/
[illegible] equalitate activis et [illegible]
[illegible] ex [illegible] non possit
agere [illegible] sed [illegible]
[illegible] sit mutua actione et
[illegible] et [illegible]
[illegible] secundum [illegible] hoc persuadet
[illegible] quia non obstante [illegible]
elementorum [illegible] erunt [illegible]
[illegible] et [illegible]
ex [illegible] possit [illegible]
agere [illegible] aliud ab aliquo
alio vel [illegible] et [illegible]
[illegible] in quo [illegible]
corpore [illegible] esset in [illegible]
[illegible] sit ibi [illegible]
Sed illa [illegible] supponit
[illegible] non [illegible] quatuor
reducte ad equalitatem [illegible]
possit agere [illegible] pati
[illegible] quia [illegible] complexio [illegible]
[illegible] aliquas qualitates [illegible]
[illegible] et [illegible] re/
surget [illegible] secundum [illegible]
[illegible] et alia complexio [illegible]
[illegible] vel [illegible]
[illegible] alias [illegible]
poneret secundum quam complexio/
[illegible] philosophi secundum
istam agere [illegible] et
non esset in equalitate ut [illegible] ponit
[illegible] Sed [illegible] non [illegible]
dit [illegible] passibile quia non
[illegible] extrinseci corruptivi et
[illegible] si excluderet corruptionem ab/
[illegible] adhuc esset [illegible]
Sed [illegible] dicit ex [illegible]
sit [illegible] impassibilis quia [illegible]
sit [illegible] non [illegible]

et creaturam corporalem sit ipsa
erit perfecte subiecta deo tamquam
suo superiori ita perfecte dominabi/
tur [illegible] corpori et [illegible] non
sit [illegible] suo [illegible] Illa
[illegible] non [illegible] aliis quia
si sit esset ex [illegible] prohibet actionem
[illegible] quantum [illegible]
[illegible] ex dominio pleno
super corpus secundum [illegible] non [illegible]
quia supremus [illegible]
sue voluntatis non [illegible]
[illegible] actionem [illegible]
cause [illegible] corporalis non [illegible]
[illegible] admixta [illegible]
[illegible] astrorum [illegible] po/
[illegible] Quarta [illegible] dicitur
ex impassibilitate [illegible] erit
per aliquam virtutem [illegible] formam
[illegible] in [illegible] corpori ut sit
[illegible] est [illegible] impassibilitas
prohibens quoddam passionem
[illegible] secundum [illegible]
ex incorruptibilis [illegible]
qualitates prohibentes passionem
corruptionem et illud [illegible] velle
augustinus ad [illegible] plene
[illegible] deus animam ut ex/
[illegible] plena felicitate redun/
det [illegible] [illegible]
et vigorem incorruptibilitatis.
[illegible] [illegible] quia
[illegible] [illegible] posse
[illegible] [illegible] non [illegible]
esset [illegible] quia non [illegible] elementaris
[illegible] corruptionem
excludat [illegible]
[illegible] prohibeat [illegible]

sine tamen corruptione ut alia pas-
sione destructiva nec ante con-
servatam relesse quia non luxuri-
ante nec [illegible] excedi-
tur. Anima vero est que causa
compassionis et voluntate dominante
compassionis [illegible] corruptiva
contrariis in corpore glorioso ita quod
voluntate dominante non [illegible]
ac corruptive sed in tamen sit
extrinseca sed intrinseca. sic ergo
a corpore glorioso compassibile sit
quod numquam patietur corruptive nec
potest secundum potentiam dei ordina-
tam et hoc erit a voluntate
dominante tamen circa ea intrinseca
[illegible] sed extrinseca [illegible] perfecte omnium
qualitatum corporis ut et extrinsecorum
agentium [illegible] quod non erit co-
[illegible] eis [illegible] sed tamen
[illegible] cum agit [illegible]
[illegible] decigne [illegible]
quod non egit [illegible] suspeciem [illegible]
[illegible] et tamen non [illegible] aliquid
compassibile [illegible] [illegible]
[illegible] potentia potentie [illegible]
nec [illegible] impedibile [illegible]
quia [illegible] voluntate [illegible] corpo-
ralis [illegible] et
Loquitur Augustinus quod incorruptibilitas
et impassibilitas erunt in corporibus
[illegible] quod [illegible] anima [illegible]
[illegible] [illegible] omnium
[illegible] corruptivum [illegible]
compassionem [illegible] corruptionem et
[illegible] corpori
[illegible] et hoc erit [illegible]
[illegible]
sit [illegible] formatis [illegible]

decorum abstulit deus virtute
[illegible] cum [illegible] quia
corpora puerorum illesa conservata
sunt sed [illegible] cum ad aliquid
quod [illegible] ligna ita aufert
[illegible] corruptionem in-
[illegible] excessu [illegible]
[illegible] nomine extrinseco
[illegible] cum ita tamen [illegible]
quia [illegible] impassibilis non erit
dos corporis beati quia dos est
aliquid extrinsecum [illegible]
[illegible] [illegible]
[illegible] intrinseco
[illegible] est quia non est
[illegible] Augustinus ad [illegible]
[illegible] ad [illegible] 2°
secundum illud potentia equa-
[illegible] dos compassibilitatis
[illegible] et etiam
[illegible] dampnatorum
quantum [illegible] quod corpora dam-
pnatorum [illegible]
[illegible]
omnia [illegible]
[illegible] puerorum [illegible]
[illegible] quod opera [illegible]
sunt [illegible]
Augustinus [illegible] 3°
[illegible]
[illegible] ut [illegible]
[illegible] impassibilitas
[illegible] fuisse [illegible]
[illegible] qualitate [illegible]
[illegible]
[illegible] impassibilitas
corporis quod [illegible]
[illegible] quod [illegible] dos non

[illegible] dotate [illegible]
sponse id quod datum est [illegible]
sponso quod [illegible] aliquid
[illegible] dos [illegible] Genesis xxxiiii
[illegible] Jacob et filiis
eius augete dotem et munera
postulate [illegible] dos dicitur
illud quod datur [illegible] sponse
ipsi sponse cum [illegible]
[illegible] sponsa [illegible]
[illegible] dos [illegible] quod
illud non [illegible]
sponse [illegible] sponso [illegible]
[illegible] corporalis [illegible]
[illegible] et ita [illegible] nuptiarum
spiritualium [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] custodia [illegible]
[illegible] [illegible] dici
quod [illegible] illud
quod [illegible] ita
[illegible] anima [illegible]
custodia [illegible] impedienda et id
[illegible] corporis [illegible]
[illegible] custodia est
dos [illegible] et secundum [illegible]
[illegible] corporis [illegible]
[illegible] quia non [illegible]
ut [illegible] [illegible]
[illegible] dampnatorum [illegible] ita
salvatur [illegible]
[illegible] [illegible]
[illegible] illud et accommod-
[illegible] secundum hoc [illegible]
dici Augustinus [illegible]
[illegible] et vigor [illegible]
[illegible] quia est [illegible]
[illegible] ut [illegible]

[illegible] quod est [illegible]
sunt [illegible] simili-
tate [illegible] adeo [illegible]
ita quod nullum aliud est [illegible]
[illegible] abacta in
corpore [illegible] sanitas
conservata est [illegible] corporis [illegible]
[illegible] quod [illegible]
[illegible] ita [illegible]
[illegible] dampnatorum [illegible]
[illegible] [illegible]
passione [illegible] et [illegible]
[illegible] alterentur [illegible]
[illegible] dampnati
[illegible] 3m
dico quod [illegible] est [illegible]
agat [illegible] quanto [illegible]
[illegible] corruptionem
[illegible] [illegible]
[illegible] quia [illegible] superior [illegible]
agit [illegible]
[illegible] erit anima [illegible]
corpore [illegible]
[illegible] et [illegible]
[illegible] erit [illegible]
[illegible] et [illegible]
[illegible] erit [illegible]
quod agat [illegible]
quod agat [illegible]
[illegible] est [illegible]
[illegible] originat [illegible]
[illegible] forma [illegible]
[illegible] quod non [illegible]
corporis [illegible] erit [illegible]
et obediens [illegible]
[illegible] non [illegible]
[illegible] fuisse corporis [illegible]

statu i movente ad acceptio
[illegible] poris primum sensus hec p//
[illegible] pr[illegible] sensum q po//
teat sed motiva fuge et primum
p divina prudentia philosophi
ne ex principio lederet ano//
nuo Ad 4m ad arta respondetur [illegible]
dicit Scotus q pt gradi ductus
[illegible] q in eo ut notia
q eo ut hec no possit pal//
pari tactu adigito ubi hoc
mo nec sensu palpacoem sensus
id corpus sensus [illegible] tactum
hic eo afficiendo passio sen//
sibile equalis ut puta ut
durus ut ut molle ut ut
calidus ut ut frigidus quod aut
palpa[illegible] sensus aliquis sensibile qualitate
i mutacio tactus sensu e cor//
ruptibile sive passio adap//
tus passione Ad 2m pro dici
q aes [illegible] in [illegible] tactus
actibus suis [illegible] hic q q[illegible]
sensatio e [illegible] sensus [illegible]
In dicto Scoti q no videtur
[illegible] x [illegible] [illegible] ad//
[illegible] sunt tactus [illegible]
[illegible] no [illegible] tactus pt tactus
[illegible] no tactus no pt corpus
animale et i [illegible] [illegible]
et aliquis alia in sensu pr[illegible]
pari i actibus suis [illegible]
actus tactus [illegible] impressionem
[illegible] pt [illegible] et audi//
tus q sunt magis spirituales de//
[illegible] nec dubitat ut dam//
[illegible] si e i [illegible] et [illegible]

et i mutacio audituus Ad 3m ad ar[illegible]
q et si i mutacio ut e sensu in//
[illegible] reali [illegible]
q aliquis e [illegible] i mutacio i//
tentionalis et sor realis et ad[illegible]
ut dictum e alias ad plurim
[illegible] sensibile [illegible] credo q
[illegible] [illegible] [illegible] sed
q actum e potuit agi [illegible]
[illegible] et passivum ut [illegible]
[illegible] e receptum [illegible]
[illegible] et io [illegible] est
pt [illegible] passio ut [illegible]
sed [illegible] hic [illegible] vna [illegible]
alia sor sensum disponi passi
adhaerent adillud [illegible]
[illegible] [illegible] passionis [illegible]
alia [illegible] passionis sensus in//
tentionali q no [illegible] ad p
[illegible] [illegible] sed [illegible] [illegible]
aut toto corpus [illegible] pas//
sione sed reali q hic e ad//
[illegible] [illegible] q hic meruit
corpus [illegible] ut [illegible] corpi
ut toto [illegible] corpi [illegible]
Ad 2m si [illegible] elementa ex [illegible]
i mixto [illegible] [illegible] sed ut
[illegible] [illegible] dicit Scotus q
sed [illegible] [illegible] ut [illegible]
[illegible] [illegible] in [illegible] o [illegible]
[illegible] et sensum q [illegible] [illegible]
q [illegible] [illegible] [illegible] e magis
[illegible] [illegible] q [illegible] [illegible]
et magis [illegible] e quod toti
[illegible] [illegible] q quod [illegible] [illegible]
Corpus [illegible] [illegible] et max[illegible]
[illegible] e [illegible] [illegible] [illegible]
[illegible] valde [illegible] et io quod est

[illegible] i corpi e [illegible] magis
[illegible] q quod erit [illegible]
elementum sensum p magis ergo [illegible]
q corpus [illegible] et elementa
i ea [illegible] q y ho sensum [illegible]
[illegible] dissoluat et q [illegible]
elementorum sua [illegible] ten//
[illegible] [illegible] [illegible] [illegible] illa
[illegible] [illegible] [illegible] violentum [illegible]
[illegible] e [illegible] theologie [illegible]
de [illegible] [illegible] [illegible]
[illegible] q deus pt [illegible] ad
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] dimiss[illegible]
[illegible] [illegible] [illegible] vera q
ut potentia [illegible] possunt [illegible]
[illegible] [illegible] actuali[illegible]
[illegible] aliquis [illegible] q aliquis
[illegible] reduceret ad ad [illegible]
et ita [illegible] violento si [illegible]
[illegible] [illegible] [illegible] ac//
[illegible] [illegible] [illegible] tar//
[illegible] e [illegible] [illegible]
[illegible] quod [illegible] [illegible] q
[illegible] [illegible] [illegible] corruptionem
corpus [illegible] [illegible] [illegible]
[illegible] [illegible] actuali[illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible] alio
[illegible] i fluxu [illegible] sup//
plente [illegible] [illegible] [illegible]
corpus [illegible] [illegible] [illegible]
una [illegible] impassibile [illegible] dictum
e i[illegible] ut [illegible] q alia
sensum [illegible] [illegible] et [illegible] partis
[illegible] [illegible] ad quos [illegible]//
tant forte p [illegible] [illegible]

[illegible] [illegible] [illegible] quinque
dispositas divina [illegible] re//
[illegible] regione [illegible] ut forte
divina [illegible] [illegible] i fluxu
supplente q erit [illegible] [illegible]
In [illegible] aug[illegible] 22 [illegible]
[illegible] i dicit q e [illegible] aliud
quod [illegible] dixit [illegible] illorum
[illegible] [illegible] ego [illegible]
[illegible] [illegible] honeste de//
[illegible] [illegible] [illegible] [illegible]//
pia [illegible] honor pax et omnia
bona [illegible] [illegible] [illegible]
[illegible] supplicat [illegible] a fluxu
[illegible] [illegible] [illegible] supplet
[illegible] [illegible] [illegible] id apparet
q et [illegible] illa [illegible] [illegible]
neque [illegible] neque [illegible] ut [illegible]
[illegible] [illegible] claritas dei illu//
minabit [illegible] et [illegible]
e agnus et si [illegible] [illegible]
q [illegible] [illegible] i [illegible] actibus suis
ex [illegible] i fluxu [illegible] [illegible]
[illegible] [illegible] Ad 2m ut q corpora
[illegible] [illegible] [illegible] [illegible] et illo
[illegible] i mutatio [illegible]
ad actum [illegible] [illegible]
[illegible] [illegible] [illegible] i//
mutant [illegible] i mutatio [illegible]
[illegible] de auditu [illegible] dicit [illegible]
[illegible] id [illegible] [illegible]
[illegible] [illegible] q [illegible] et
[illegible] [illegible] [illegible] et [illegible]
i mutatio auditus [illegible]
audiendi et [illegible] [illegible]
[illegible] et [illegible]
corpus [illegible] quod forte [illegible] e

ad arta

ad 2m

ad 2m

ut forte 100 quod dicitur in libro ps
motus noct ut more consuet-
tudinis confluet certe minor propter
fractionem sunt nox quia propter a per
[illegible] celi multi et species suas
ad auditum beatorum. De gustu
dicendum quod corpora beatorum et gloriosa
cum flagrantia et proprias
multitudines ad olfactum actuant
ipsum. De gustu dicendum quod de-
mediam nullam quod dicitur habebit
lingue [illegible] humorem omnino con-
venientissime saporis que propter
tunc confluabit et 1e glorie operatio
immutabit gustum [illegible] de-
lectum nullum legi non possit
tamen forte dici sic de gustu quod
dicitur ipsum sit actuet per gratiam
[illegible] medicis ut quod [illegible]
suppleat influxum. De motu
[illegible] tactu. Secundo
[illegible] quod [illegible] ducat [illegible]
delectantes [illegible] sensibus
propter conservationem [illegible]
ad indigentie supplementum propter
salvationem individui ut species
generationem et [illegible] delectationes
ibi cessabunt [illegible] et cum cessabit
quod non ibi indigebunt [illegible]
erit [illegible] generationem propter speciem
perpetuandam per successionem individui
durabit [illegible] perpetuabi-
liter individuum [illegible] [illegible] sine
generatione. Alia [illegible] [illegible]
delectationem propter [illegible]
[illegible] [illegible] incipit et ista
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]

Tertio circa [illegible] corpora
beatorum [illegible] agilitas
[illegible] non quod [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
Sed agilitas [illegible] ponere
sunt [illegible] [illegible] ponere [illegible]
motum localem et [illegible] non [illegible]
ibi [illegible] quod [illegible] motus est actus
entis [illegible] corpora [illegible] ita
non erunt [illegible] [illegible] 2o 20
[illegible] corpora beatorum non [illegible]
agilitate [illegible] non indigebunt
motu [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
3o [illegible] [illegible] exigentiam [illegible] 3o
[illegible] erit [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
quod amittent loco [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] motu
[illegible] [illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible] ut
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] est primo quod [illegible] est
[illegible] motus [illegible] [illegible] [illegible] [illegible]
exigentiam elementi predominantis
[illegible] [illegible] [illegible] ut [illegible]
[illegible] motus [illegible] [illegible] [illegible]
[illegible] propter [illegible] [illegible]
[illegible] [illegible] motus est [illegible] [illegible]
elementi predominantis [illegible] [illegible]
ut [illegible] ut est motus [illegible]
differunt [illegible] [illegible] motus [illegible]

[illegible] [illegible] [illegible] [illegible] quod
non [illegible] [illegible] motus [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
corporis [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] motus est [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
quod motus [illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] sed
appetitum [illegible] et [illegible] est
propter [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] motus [illegible]
[illegible] [illegible] que non est
propter [illegible] loci [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible] [illegible]
appetitus [illegible] sequens [illegible] est
[illegible] [illegible] [illegible] et [illegible] motus
non est [illegible] ad [illegible] [illegible] ut
ad [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible] [illegible]
[illegible] primum est [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] movetur [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
motus [illegible] [illegible] [illegible]
et [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] agilitate
[illegible] [illegible] [illegible]
[illegible] [illegible] et motum [illegible] [illegible]
est [illegible] [illegible] [illegible] [illegible]
et appetitu [illegible] [illegible] [illegible]

est corpus [illegible] agile [illegible] [illegible]
[illegible] non [illegible] [illegible] [illegible] [illegible]
est elementi predominantis ut [illegible]
[illegible] [illegible] appetitum [illegible]
[illegible] est [illegible] et ut [illegible]
et ut [illegible] [illegible] et quod [illegible]
[illegible] [illegible] [illegible] non
[illegible] [illegible] [illegible] [illegible] non [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
est [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] est quod [illegible]
[illegible] [illegible] ad [illegible] [illegible]
organum corporis [illegible] [illegible] [illegible]
et organis [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
motus [illegible] [illegible] quod
organum non est ita [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible]
[illegible] quod [illegible] [illegible] [illegible]
[illegible] loco non [illegible] [illegible] [illegible]
[illegible] [illegible] quod quo [illegible] et
est [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] forma [illegible] [illegible] [illegible]
forma [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] [illegible] [illegible]

aliud bonum quod ne(c) influali
ut anima quia potest per motum
aliqua inferiora ut ad celum
... per sensum quia hoc quod corpori
quod est compositum erit et quibus
motivis [illegible] Secundo [illegible]
operatum proportionem sed inferioris
et velle contrarium eius compugnat
sed hec compositionis ... Tertium ipsa
[illegible] per motus movebitur al//
iud et eius organum sed totum
corpus movebitur per [illegible]
parte mota alia consequenter sed
motus ... per corporis ... mutari
alii per ... et volebat
... et eius deficiet ut alle//
gatum fuit et constat [illegible]
motu ... corporis non est
organica ... proportiona ...
motum ... quia per motum
alius quia proportiona. Quarto ... est
... eius organica
sed ... corporis gloriosi etiam quia
... organica eadem ... Videtur
Secundo quod potest ... et eadem
... quia ... est
[illegible] [illegible] ... non
... virtute movendi
... per corporis mo//
... sed organice et eius
organice quia utraque ... per
... eadem virtute
... quod declaratur per aliam
... per ... secundum
... et ...
effectus quia ... per exequi
... ad exequatur ...
illud ... ut ...

... [illegible] qualis ... potentia
... per ... parte ... //
... innuitur (?) ad
... influat ... quod
... influat ... motus
... magis distans ... per
... [illegible]
... per ... potentia
ad ... motum ...
... et ... causet ipsum
... remotum ... disposita
ad causet ipsum ... propinquior
magis disposita et ita ... //
... statu ... propinquior
... magis disposita quam remo//
tior ... per illa causare
motum ... parte ...
... causet ipsum ... propinquior
magis disposita ad ...
motum ipsum. Quarto ... illa eadem
... possibile ... parte ...
ita disposita per propinqua possibile
... statu causare motum ...
... parte sed exequi ... //
... propinquiori remotiori
... propinquiori et remotiori
organice Ad exequi alicuius ...
... quod est ...
... dispositione eque
ad recipiendum motum et movendum.
... organice ... eadem
... non movet corporis
organica per motus movebit
... organice et ... non
impedit ... illa
... ipsa effectum sed ...
... effectum sed ...

motum qualem ... possumus
Secundo remanet ... dispositione
corporis ... quia requiritur ad agil//
litatem ... illa sed et ...
dicitur ... quia dispositio
corporis requisita et aliqua
qualitas ... corpori redditur
habile ... virtute ...
... ut moveatur ...
et propter qualitate ... aufferetur
illa quia ... impedit ...
corporis ... moveatur al//
... per labore ... aufferetur
gravitas quia impedit ut ...
proportionem ... Ad ...
... dicitur quia ... ponderositate
... aufferetur quod ... quia ...
... aufferetur ... non ...
... corporis ... extra
... et fatigaretur ...
... ...
... non remanebit ...
Alii dicunt ut durandus ...
... qualitate
... additum sed ... aufferetur
gravitas ut ...
... Secundo ...
...
corporis ... non manet ...
quia ... est ... per ...
... gravitate ... non est
... et est ...
... in gravitatis
... humana ...
... dispositio
... corporis ...
... non est possibile
... ita ... //

tatem et aliat ... qualis
... non est possibile ...
... et ... ad//
... corporis ... adiectum
... complexione ... corporis ...
... quam ... quia ...
... ex celestis ...
mixti ... elementi ...
... corpori agilitatem ut
moveatur ad ... po//
... ubi ... loco
quod ... facere poterit ...
... qualitas ... modo ...
... dictando ... et non
agit ...
... agere in//
... non difficultate ...
... qualitas ... sed
... possit ...
... Secundo ... ex
agilitatis quia requiritur ad motum
... supernaturali qualitate
... corpori ...
... ...
... mota ...
...
... et ... per ...
... supernaturali qualitate addita
... non ...
... ...
... impedita ...
...
... corpori ... non
... ut ... adiectum ...
... ad motum ...
... fatigatione ...
... ...
corpore glorioso quia non poterit

sine difficultate [illegible] qua [illegible] insufficiendo [illegible] contra [illegible] sicut docet experientia et tamen ipsa [illegible] infinita [illegible] mixta et perfecta non est alia [illegible] infinita [illegible] [illegible] sicut erat [illegible] [illegible] quod ipsa [illegible] et perfecta non erat alia [illegible] corporis [illegible] passim [illegible] movebit

impedit [illegible] corporis [illegible] virtutis [illegible] hic [illegible] et [illegible] est quo impedito a motu [illegible] [illegible] aer [illegible] et [illegible] impediti maxime [illegible] ad agilitatem in motu [illegible] quo movet potentia [illegible] [illegible] aliud impedimentum est in motu corporis quo [illegible] [illegible] grossis et [illegible] et caput est plenum [illegible] [illegible] et [illegible] [illegible] reddunt hominem [illegible] et [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] debitur corpori glorioso [illegible] reddet agile admodum [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] spiritus [illegible] [illegible] [illegible] [illegible]

adaucta [illegible] aliud [illegible] ut dicit Augustinus quod [illegible] [illegible] corporis [illegible] [illegible] [illegible] [illegible] corporis [illegible] [illegible] [illegible] [illegible]

ut dicit Augustinus et illud grave [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] corpus [illegible]

[illegible]

[illegible]

proprium sui motus quod motus
de subito sed quasi statim [illegible]
celeste et sit unius exigentia
motoris erit brevior vel [illegible]
[illegible] et latitudo maior sive
erit dotes corporis intensioris
et remissioris comparative secundum quare
dotis [illegible] exigentia po-
terit tardius vel cicius mo-
veri et ita omnia maxime pre-
dicta secundum potentiam ita quod po-
terit dotis agilitas cum conve-
nientie proportionis redundante
gloriae anime in corpore ita quod
de corpore redundant a anima ipsa do-
tes motus proportionaliter tamen secundum exi-
gentiam gloriae anime convenit
quod una anima gloriae anime con-
redundat claritas corporis et ab-
[illegible] et perfectiori agilitate
sit velocior motus et secundum [illegible]
[illegible] possibile [illegible] quod ad perfectione
[illegible] dare perfectione
[illegible] [illegible] et corpori [illegible]
[illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible]
ita perfecta quod [illegible] perfectionem
[illegible] recipiunt ulteriorem perfectionem
[illegible] [illegible] alia [illegible] [illegible]
perfectione [illegible] [illegible] [illegible] [illegible]
perfectionem et [illegible] [illegible] [illegible] alia
[illegible] [illegible] gradu [illegible] quod [illegible]
[illegible] [illegible] [illegible] [illegible]
perfectionem [illegible] ut [illegible]
[illegible] motus et corporis gloriosi
[illegible] [illegible] [illegible] infinite perfectio
[illegible] [illegible] quod [illegible] aliquam perfectionem
[illegible] moveri [illegible] perfectum motum

[illegible] [illegible] aliquis [illegible] [illegible]
[illegible] [illegible] [illegible] possit [illegible]
[illegible] distantia [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] corpora
[illegible] gloriosa et habent dotem
agilitatis [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] mediata proximitate
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] secundum [illegible]
[illegible] et [illegible] [illegible] quod per illa
distantia [illegible] [illegible] [illegible]

Quarto [illegible] [illegible] corporis
gloriosi fiat clarum
[illegible] [illegible] [illegible] clarum
[illegible] id quod [illegible] [illegible] [illegible]
corpora gloriosa [illegible] [illegible] [illegible] secundum
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] equabitur [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
armonia [illegible] [illegible] [illegible]
lux et color [illegible] [illegible]
dispositionem [illegible] [illegible] [illegible] quod
corpora [illegible] [illegible] lucida et
[illegible] [illegible] [illegible] [illegible] colores [illegible]
corpora gloriosa erunt collocata
secundum Augustinum [illegible] [illegible] [illegible] [illegible]
pulchritudo [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quadam
coloris [illegible] [illegible] pulchri-
[illegible] [illegible] gloriosi [illegible] et [illegible]
[illegible] et [illegible] [illegible] lux [illegible] [illegible]
erit lux in corpore glorioso [illegible]
[illegible] [illegible] [illegible] [illegible] et [illegible]
[illegible] gloriosi [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] secundum
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

ut quod dicitur [illegible] [illegible] [illegible] quod
corporis [illegible] [illegible] claritati [illegible]
[illegible] Et [illegible] [illegible] [illegible] quod fulgebunt
[illegible] [illegible] [illegible] [illegible] fulgebunt [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] claritas [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] lucis et refulge-
[illegible] [illegible] lucis [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] vel
[illegible] et quod [illegible] lumine
et refulgentia lucis [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] manifestat et [illegible]
[illegible] [illegible] [illegible] aliter [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
manifestat [illegible] [illegible] claritatis
[illegible] [illegible] manifestationem
[illegible] [illegible] [illegible] [illegible] [illegible]
manifestat [illegible] [illegible] claritatem
et [illegible] [illegible] quod [illegible] [illegible]
manifestationem [illegible] [illegible] claritatem
[illegible] [illegible] [illegible] claritatis [illegible] quod
[illegible] [illegible] manifestat [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
quod corpora [illegible] [illegible] claritatem
[illegible] perfectionem manifestationem
[illegible] coloris [illegible] [illegible] [illegible] [illegible]
[illegible] colore [illegible] [illegible] secundum
gradum complexionis [illegible] et [illegible]
[illegible] [illegible] Et [illegible] [illegible] [illegible]
[illegible] colore [illegible] [illegible]
coloris [illegible] [illegible] [illegible]
qualitatum et ita secundum diversas
complexiones habebunt diversos
colores secundum speciem [illegible] [illegible]
[illegible] secundum gradum [illegible] [illegible] aliqui
intensiores aliqui remissiores

secundum gradum et [illegible] secundum exige-
[illegible] [illegible] [illegible] [illegible] [illegible]
claritas erit perfectio coloris [illegible]
[illegible] corpori secundum complexionem et
secundum merita Et secundum [illegible] [illegible]
stella differt a stella in claritate
et [illegible] [illegible] claritas [illegible] et [illegible]
lune et alia stellarum [illegible]
[illegible] in corporibus [illegible]
[illegible] [illegible] [illegible] plane et
refulgentia lucis [illegible] [illegible]
quod in corporibus gloriosis erit magna
claritas [illegible] in corporibus [illegible] [illegible]
et [illegible] [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible] vel
[illegible] [illegible] magna claritas et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] ut tabula
[illegible] ut gladius [illegible] [illegible]
[illegible] Corpora [illegible] gloriosa ut
[illegible] [illegible] [illegible] [illegible] et
[illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] ut [illegible] [illegible]
fulgebunt [illegible] claritate et
[illegible] [illegible] stellas et [illegible] [illegible]
[illegible] [illegible] empireum [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] gloriosis erit [illegible]
lux [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] quod
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] colore et
[illegible] [illegible] lux [illegible] [illegible]
quod lux et color [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
gradum [illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] secundum [illegible] [illegible]

sive speci illa propter virtute divina ...

[illegible]

hac penetratione stat tamen quod sint
rarefacta et lucida ita etiam non
[illegible] quod lux videatur penetrare
[illegible] cum possit actu [illegible] omnia
corpora mixta [illegible] hac [illegible]
[illegible] quod [illegible] videtur per
[illegible] [illegible] adaptum [illegible]
quod omnia actu [illegible] omnia
[illegible] et [illegible] quod ultra [illegible]
videt [illegible] [illegible] [illegible] per
[illegible] vel formam posuit [illegible] actu
[illegible] [illegible] potentior [illegible]
[illegible] [illegible] et [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] imperceptibilis ut
[illegible] [illegible] [illegible] quod [illegible] per
[illegible] actu [illegible] [illegible]
[illegible] [illegible] ut corpus [illegible]
[illegible] [illegible] posuit per [illegible]
[illegible] tamen [illegible] quod [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] videlicet [illegible]
[illegible] corpus [illegible] et [illegible]
[illegible] actu [illegible] [illegible] quod lux
et calor [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible]
ad [illegible] [illegible] effective [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
adeo ut [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] [illegible]
[illegible] ut [illegible] [illegible] posuit [illegible]
[illegible] [illegible] [illegible] [illegible] et
[illegible] [illegible] ut [illegible] [illegible]
[illegible] [illegible] possit [illegible] [illegible]
et [illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] aliqui
quod [illegible] et [illegible] calor corpus

ad 2m

[illegible] latebunt et [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] tamen [illegible] [illegible] [illegible] la-
tuit et [illegible] [illegible] [illegible] [illegible] et
[illegible] voluit [illegible] [illegible] [illegible]
quod salvator [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible] [illegible] quod [illegible]
[illegible] [illegible] lucis et coloris [illegible]
ut [illegible] [illegible] [illegible]
[illegible] coloris [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] coloris [illegible] [illegible]
[illegible] ut [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
agat [illegible] ut [illegible] [illegible]
[illegible] [illegible] tamen [illegible] [illegible]
[illegible] [illegible] hoc [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ut [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible] quod [illegible] [illegible] quod
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]

2m

[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] ut [illegible]
[illegible] [illegible] [illegible] [illegible] illi
[illegible] [illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
quod [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

Q[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
possit [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible] tamen [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] ut [illegible] [illegible] [illegible]
[illegible] [illegible] equale [illegible]
[illegible] [illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] equale [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] duo [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] et [illegible]
quod illa [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
quod [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] duo corpora [illegible]

Motivo

[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod duo
corpora [illegible] [illegible] [illegible] [illegible]
[illegible] duo corpora et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] per duo
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] duo corpora [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] hac et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quod [illegible] et [illegible]
duo corpora [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] quod duo
corpora possint [illegible] [illegible] [illegible]
loco [illegible] [illegible] hoc [illegible]
[illegible] [illegible] quod [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
et [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible]
[illegible] per [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] loco [illegible] [illegible] [illegible] quod
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] quod [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

sagitte sicut non corpus subtile quod replevit per spacium eius ... continuati. Dicit quod corpora gloriosa sua corpora per se movent dividunt sicut lapis dividit aquam ... quod hoc fieret propria virtute ut quod dura virtute eius dividat ... [illegible] ... ascendit in celum ... [illegible] ... dimisit ... et dividet ... superius corporis ascenderet et ... movebit ... empireo ... dividet ... quod stare ... domina virgine et ... integra claustra ... clauso sepulchro ... lapide ab ostio monumenti ... ... intravit ad discipulos ... ianuis clausis ... dividendo ... corpora ... celi empirei ... Si ... corpus glorificatum ... fieret ... ita ... omnia corpora gloriosa ... celum empireum ... ut plus ... tendi ... contrahi ... corpus ... per ... ut dicit illa ... redundando ... gratia

qualitate et figuram ... distincti ... ut compositum ... ut ... corpus ... ita ... subtilissima ... corpora ... glorificata ... subtilitatis ... alio corpore ... eodem loco ... ita ut ... alterum ... ut ... exivit sepulchrum clausum et intravit ad discipulos ianuis clausis ... reformabit ... ut allegatum est ... aliquando ... in eodem loco ... corpus ... possit ... in loco ... possit esse corpus ... individuum ... in loco ... corpus ... in alio corpore ... loco ... dimensionum ... effective ... aliquorum corporum ... eodem loco ...

... duo corpora ... in eodem loco ... argumentum ... ut non duo corpora ... subtilitas ... quod ... dicitur ... subtile ... secundum latitudinem et profunditatem ... longitudinem ... grossum ... magnum secundum latitudinem et profunditatem ... aliquid subtile ... ut terra ... hoc quod subtile est ... penetrativum alterius subtile ... figuram ... dato quod sit longum ut ... dimensionum et penetrativum subtile ... penetrativum ...

... aliorum corporum subtilium ... ut aer aqua et ignis ... subtilitas ... penetrativa ... longinqua ... alia ... subtile ... penetrat ... spirituales ... subtiles ... longat ... corporali ... penetrat ... corpora gloriosa ... corpora ... Dicendum ... corpus ... subtile ... spirituale ... corpus ... quod ... dicitur ... spirituale ... corpus ... indiget

[illegible]

[illegible]

Seminatur in ignobilitate surget in gloria; seminatur in infirmitate surget in virtute; seminatur animale surget spirituale. Et 1 omnia dote impassibilitatis contra corruptionem, dote claritatis in gloria, dote agilitatis in virtute, dote subtilitatis in spirituali. Et corpus gloriosum impassibile [illegible]

[illegible]

Q[illegible]

[illegible]

aliquis decedit ut e modis
ut ueal. Si e cuitat sue
decedat omia cu e corpus
dimisso s. si e totar depty
et ptne. Si vero itpa
d ueal. sue decedens oia
cu indiget nuad. qz dimis//
so rusp ess sit inmediate
nolidis. [illegible] dispplicat qd
male coplacuit. Ibi [illegible]//
dinare nd decedetis sue
cetu uenli et onged ct
stati ut dicere dissuctis
c. decedue onged [illegible]//
ciat addnd et p[illegible]
dilaco tmis e eis penosa
et dispplicet i et tn dilaco
et tn dilacoe e cu [illegible]//
ma decta eis ss et culpa q
eis displicet/ onqua displi//
centia recordat nolut qz
cupplacentia fuit cordiata
Et p ic omos cu oplaz qz
forte cu [illegible] sue p q dep
actu [illegible] cque meruant
ut demerent sue dua ut
[illegible] d q 19 x[illegible] q petm
ueniale onhat ouita pt di//
mitti. cu tn [illegible] onteorie.
qz cu e [illegible] adh ss pec//
aliquid aliud actu meas deo
acceptus q petm ueniale dis//
plicet/ et hoc ut dicitur ab [illegible]
operante [illegible] ueniale [illegible]
ut cu abipe relatiss adeo
acceptate mordie adistud opa
uit 19 q meat [illegible] [illegible]
q [illegible] [illegible] cui a [illegible] ab//
[illegible] adpetm ueniale meus meruit

dimittendos [illegible] ut hic nec alt
actu meditorum [illegible] debeat
ueniale tn ia opa [illegible] facta pnt
ee relata adeo addimissione
peti uenial [illegible] [illegible] etc.
qz tn impedit dum e impedita
cu post [illegible] dum cui e i//
pedita post [illegible] aut omita
19 [illegible] [illegible] cont
ta [illegible] delectos ueniale e//
dinata ab adho alio ut adeo
accepta ia opa adhuc [illegible]
aut impedita dum ic [illegible]
Di [illegible] actu meat [illegible] ue//
niale p[illegible] [illegible] [illegible] [illegible]
qz [illegible] cu [illegible] [illegible] [illegible]
19 [illegible] i cui indiget suf//
fragio. aut adh[illegible] cui
q i [illegible] [illegible] dimittant
sia uenialia qz cu meat
actu peti uenial et penis [illegible]
cessat impeditu Et si ante
i [illegible] [illegible] decedit [illegible]
dimittet actu [illegible] uenial
ita q ne omissio ne [illegible]
[illegible] uenale [illegible] [illegible]
dimitterent [illegible] ouita lig
remaneret adhuc obligata
ad penam [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ut ptm [illegible] x[illegible] [illegible]
[illegible] passy [illegible] [illegible]
q [illegible] appareuit [illegible]
[illegible] ut liberaret [illegible]
periculo ut fri [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] que [illegible]
[illegible] oblacom [illegible] [illegible]//
[illegible] Item [illegible] [illegible]

allegata [illegible] machina [illegible] [illegible]
et palulis [illegible] [illegible] 1 [illegible]//
[illegible] cu [illegible] [illegible] Et
[illegible] [illegible] [illegible] [illegible]//
purgat [illegible] ut q baptizat
[illegible] ut q [illegible] bapti//
zant [illegible] a [illegible] opa
[illegible] [illegible] [illegible] purgat
ubi [illegible] [illegible] q bapti
[illegible] a [illegible] opa facie
[illegible] [illegible] [illegible] pnd
et [illegible] Item [illegible] [illegible] Et
[illegible] admonte cu [illegible] [illegible]
ut roget qd qd [illegible] de//
[illegible] corporali [illegible]//
[illegible] qz [illegible] [illegible] [illegible]//
[illegible] e secundo ut [illegible]
erat [illegible] et [illegible]
Et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] cu admonte et [illegible]
[illegible] [illegible] e petat et
dabit ei ouitu Item aug[illegible]
cu e [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible] adhuc
[illegible] posse [illegible] [illegible]
in [illegible] [illegible] [illegible]
allegat adhuc [illegible] [illegible]
[illegible] cu [illegible] e [illegible]
[illegible] [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible] [illegible]//
altare [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] ut [illegible] [illegible]//
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
qz [illegible] [illegible] [illegible]
amor [illegible] [illegible] [illegible]

amor [illegible] [illegible] [illegible] Sed
amor [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] aliud [illegible]//
re liberare [illegible] [illegible] ut
[illegible] ut satisfaciendo
Et [illegible] [illegible] e [illegible]
illas [illegible] [illegible] qz [illegible]
[illegible] [illegible] [illegible] impetrat [illegible]//
[illegible] [illegible] [illegible] [illegible]//
tate [illegible] q orat Sed [illegible]
[illegible] satisfactos impetrat
[illegible] [illegible] [illegible] [illegible]
[illegible] ee hos [illegible] [illegible]
[illegible] acceptatur i et amor
[illegible] tn [illegible] q [illegible] [illegible]
[illegible] aliud liberat [illegible]
[illegible] [illegible] [illegible] [illegible]//
[illegible] ut satisfaciendo Et
[illegible] [illegible] [illegible] q suffra//
gia [illegible] [illegible] defunctis
[illegible] [illegible] e [illegible]
[illegible] [illegible] addidem/ aliud
e [illegible] q [illegible] [illegible]//
fiet [illegible] [illegible] [illegible]
illa opa [illegible] [illegible] [illegible]
[illegible] suffragia q [illegible]
ad [illegible] [illegible] et [illegible]
[illegible] et id e [illegible] [illegible]
id e [illegible] [illegible] [illegible]
[illegible] illud [illegible] [illegible] fide//
les [illegible] [illegible] [illegible] [illegible]//
uno capite [illegible] hoc [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] Et [illegible] suffragia
q [illegible] [illegible] [illegible] [illegible]
defunctis Et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] illud deo
[illegible] orat [illegible] 2a 3a [illegible]

oblatio sacrificiorum altaris et alie
et oratio tamen pensata [illegible]
vata sunt predicta suffragia
quod defunctorum animas relevant
quibus enim bona alia que
[illegible] eis valere [illegible]
da sunt dicto quod suffragia
valeant defunctis credendum
est quibus prosunt [illegible]
ergo est duorum [illegible] suffragia
prosunt [illegible]
et dico [illegible] quod prima [illegible]
de dampnatis [illegible]
[illegible] generale [illegible]
[illegible] alia suffragia
possent quomodo [illegible]
est duorum [illegible]
[illegible] conferre [illegible]
[illegible] Glosator de
[illegible]
[illegible] suffragia [illegible]
[illegible]
[illegible]
[illegible] bona [illegible] valde
boni alii valde mali alii
mediocriter boni et alii medii
[illegible] mali [illegible] bonis
[illegible]
[illegible] valde mali
[illegible] suffragia [illegible] medii
[illegible] bonis [illegible]
[illegible] purgatorii
[illegible]
ut omnes puniuntur [illegible]
[illegible]
[illegible] dampnatis [illegible]
[illegible]
[illegible] habuerunt
et tamen alia peccata mortalia [illegible]

[illegible] suffragia multorum [illegible]
[illegible]
[illegible]
[illegible] et [illegible] glosa
[illegible]
[illegible]
[illegible] pena [illegible]
de pena [illegible]
[illegible]
[illegible] tota pena [illegible]
et [illegible] liberatur [illegible]
[illegible]
[illegible] tollat [illegible]
tamen pene [illegible]
et [illegible]
[illegible] pena [illegible]
[illegible]
[illegible] de pena [illegible]
[illegible]
[illegible]
[illegible]
[illegible] glosator [illegible]
[illegible]
[illegible] remitti [illegible]
[illegible]
[illegible]
[illegible] tamen que [illegible]
[illegible]
[illegible] glosator [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
et [illegible] diminuat

[illegible] de pena [illegible] et
[illegible] diminutio pene [illegible]
[illegible]
possum loqui et [illegible]
[illegible] diminutio
pene [illegible]
[illegible] quemadmodum divisio
[illegible] divisio
[illegible]
[illegible]
[illegible]
[illegible] pena [illegible]
[illegible]
[illegible]
[illegible]
pena [illegible] pena
[illegible]
[illegible] pena [illegible]
[illegible] suffragia [illegible]
[illegible] tolli [illegible]
[illegible]
ut [illegible] et [illegible]
[illegible] dampnati [illegible]
[illegible]
[illegible] pena [illegible]
[illegible]
[illegible]
[illegible] pena [illegible]
[illegible] suffragia [illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] pena [illegible]
[illegible] suffragia [illegible]
[illegible]

pena [illegible] et [illegible]
[illegible]
[illegible]
[illegible]
[illegible] suffragia [illegible]
[illegible] dampnatis [illegible]
[illegible] et [illegible]
[illegible] suffragia [illegible]
[illegible]
[illegible] dampnati [illegible]
[illegible]
[illegible]
[illegible]
[illegible] finale
[illegible] suffragia [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
ut possint eis [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] dampnatio [illegible]
[illegible]
[illegible]
[illegible] dampnatio [illegible]
[illegible]
[illegible]
dampnato [illegible]

Secundum quod dicit dominus ut allegat ad ... dicit dominus de aqua ... est etiam ut ... hoc ad ... contra constituti predestinati ... tu sic ... ad ... oraret pro eis ... proprio ... non ... caritate ... pene ... [illegible] ... pueris ... remittit ... et ... oblitum ... et ... delictis fuit ... et ... detrimento et ... per ... nulla suffragia ... dampnatis ... non ... pena ... conditum ... dicit Augustinus ... allegat ... predestinatis ... pro ... machabeis ... originali ... predestinati ... et ... in ... dampnatis ... oratio ... predestinatis ... dampnatos ... fideles ... et ... fidelium defunctorum ... fidelibus defunctis oratio ... abstrahat ... tartara ... defunctis ... purgandis ...

... extra ... infernum ... misericordia ... dampnatis et ... oratio pro dampnatis et ... dicit Augustinus ... suffragia ... plena ... dampnatis ... suffragia ... illis ... veritati ... quod ... in inferno ... [illegible] ... dampnatis in inferno possunt ... dampnati qui ... adulterii ... bona ... mitigatione ... penis debitas ... quedam ... in inferno ...

Quo ... cum ... in ... et ... dicit Augustinus ... pena ... et ... augmentata ... qui male ... pena dampnati ... dampnati ... Addunt ... possunt dampnati ... dicit Augustinus ... quo ... pro ... quo ... dampnati ... penarum ... mitigatione pene ... indulgentiae ... pena debita ... purgatorio ... indulgentiis ... indulgentia ... pena ...

... pietate ... fidelium ... fide formata ... fidelibus defunctis ... pro dampnatis et ... dampnati ... purgatorio ... suffragia possunt ... dampnatis ... et ... dampnatis ... sufragia ... dampnatis ... pena ... dampnatis ... pene ...

Addunt

mittat dicit quia tunc eis fuerit sit
condignia punicio. Est dicendum
maxime pene purgatorii dicit
tantum et loco obscura parte
inferiori per quas penas debet
aliquis habere et incidere in manus
dei viventis et idem dicit hic in
presenti tuo sed dicit augustinus dicit
hic ure hic seca ut
dicit augustinus ignis purgatorii
se ad penas pertinet sed ignis
vero ad ignem [illegible]
[illegible] alius accidit dicit quod
[illegible] dampnato [illegible]
[illegible] unde concludit
[illegible] est pena purgatorii
dicit [illegible] ad dampnatum ad
[illegible] pecuniaris [illegible]
[illegible] et [illegible]
[illegible] cum sit ad
[illegible] est [illegible] sunt
dampnatos [illegible]
[illegible] et [illegible]
dampnatos et [illegible]
[illegible] ut
[illegible] plenarie liberent a
penis purgatorii ut [illegible]
ut [illegible] ut [illegible]
se [illegible] addendum quod
[illegible] revocare
[illegible] culpe ad statum gracie
[illegible]
[illegible] committit [illegible]
[illegible]
[illegible] remittat [illegible] erat
[illegible] erat
[illegible]
[illegible] alius [illegible]
[illegible]

[illegible] sive [illegible]
[illegible] sequitur [illegible]
ut [illegible] in quo
[illegible] dicendum [illegible]
[illegible] et [illegible]
et possent [illegible]
[illegible] et [illegible]
[illegible] et [illegible] dicit alius
et de merito dicit [illegible]
et alii [illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] pena in inflicta
[illegible] remittere
ut [illegible]
[illegible]
[illegible]
[illegible]
[illegible] dicit alius [illegible]
[illegible] vita [illegible]
et [illegible]
[illegible] eternaliter dampnat
[illegible]
[illegible] vita [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]

debet [illegible] meruit [illegible]
[illegible] dicit alius
[illegible] bona de lege
[illegible] ordinata [illegible]
[illegible]
[illegible] augmentat [illegible]
[illegible] doctrina
et [illegible] pena [illegible]
[illegible] augmentat [illegible]
[illegible]
[illegible]
[illegible] et [illegible]
et augmentum augmentat [illegible]
[illegible] pena
et bona doctrina [illegible]
et [illegible]
[illegible]
[illegible] dampnatis et est [illegible]
[illegible] dicit alius [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible] et [illegible]
[illegible]
[illegible]
pena dampnatorum et [illegible]
suffragia [illegible]
remissione [illegible]
[illegible]
[illegible]
[illegible]
[illegible] totaliter tollet [illegible]
pena [illegible]
[illegible] et [illegible]
[illegible] sufficient [illegible]
et [illegible] est pena [illegible]

[illegible] fuit [illegible]
[illegible] ut dicit [illegible] pena
[illegible] suffragia
differret usque [illegible]
[illegible] ut [illegible]
[illegible] quod arguit [illegible]
[illegible]
[illegible]
et [illegible] dicit [illegible]
[illegible] dampnate [illegible]
[illegible]
[illegible] fuit [illegible]
[illegible]
[illegible] tollet [illegible]
[illegible] remittet
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] remittet [illegible] tollet
pena [illegible]
[illegible]
[illegible]
[illegible] bona opera
[illegible] ut [illegible] suffragia [illegible]
[illegible]
[illegible]
[illegible] ad penam
et [illegible]
[illegible]
[illegible]

Secundo [illegible] suffragia [illegible]
[illegible]
[illegible] et [illegible]
[illegible] dicit [illegible]
[illegible] suffragia [illegible]
[illegible]
[illegible]
[illegible]

[illegible]

[illegible]

acceptat pro redemptione pene

Tercium dicimus quod licet suffragia facta pro peccatoribus prosint illis pro quibus fiunt...

[illegible]

[illegible]

purgatorium

purgatorium

satisfacere tenetur et remanet post
mortem [illegible] omnes sciunt quod ita
[illegible] dua prima sua pateretur
penam post mortem nisi aliqua
[illegible] assignatio [illegible] quare
non deberet pati in [illegible] tamen
ab errore non ponere pur-
gatorium scilicet quod de pena
mortis [illegible] nullum peccatum
quod homo moritur post mortem
dimittitur nec una aliqua
[illegible] penis purgabitur
[illegible] culpa sed magna sed
[illegible] anima [illegible] moratur
[illegible] durabit Sequitur quod
[illegible] aliquem mori in [illegible]
[illegible] non salvabitur quod [illegible]
[illegible] repugnat [illegible]
[illegible] quod [illegible] alterius
[illegible] ut magis [illegible]
[illegible] satisfactores possunt mor-
tuis in purgatorio non [illegible]
sunt animus erit [illegible]

Utrum penas satisfactionis
animus excepta pro
mortuis quietet in post
penis [illegible] debet [illegible]
[illegible] si [illegible] precipitat
[illegible] sine culpa ut
[illegible] si [illegible]
ut si intoxicatus [illegible] ut si [illegible]
mortis [illegible] continuat [illegible]
si vere peniteat et confiteatur
[illegible] peccatis suis [illegible]
et petat sacerdotem ut [illegible]
satisfactionem [illegible]
[illegible] iniungat [illegible]
[illegible] ut [illegible]
[illegible] quod si [illegible]
[illegible] ut [illegible]
[illegible] satisfactionem [illegible]

[illegible] adimplevit [illegible]
purgatorio non puniet [illegible]
[illegible] si [illegible] satisfactionem [illegible]
obligatus adponat purgatorium
[illegible] tamen [illegible] suspen-
dat [illegible] impositione [illegible]
donec [illegible] satisfactionem [illegible]
[illegible] eam compleat [illegible]
quod non suspendat impositione
[illegible] quod [illegible]
[illegible] satisfactionis [illegible]
[illegible] et [illegible]
[illegible] eam [illegible]
[illegible] aliquid [illegible]
et [illegible] adhuc penas [illegible]
[illegible] peccato [illegible]
[illegible] Si [illegible]
[illegible] opera penalia
[illegible]
[illegible]
[illegible]
quod [illegible]
[illegible] penas in purgatorio
[illegible]
[illegible]
[illegible]
obligationem [illegible] purga-
torii [illegible]
[illegible] puniet [illegible] suffra-
[illegible] ut [illegible]

Quantum durum quod per
suffragia fiat remissio
[illegible] penarum in purga-
torio [illegible] in [illegible]
temporis ut [illegible]
[illegible] Doctores quod [illegible]
quod [illegible] et [illegible]
[illegible] animabus in
[illegible] actibus pene
[illegible] mitigaret [illegible]

duratio [illegible] quod [illegible] pur-
gatorii [illegible] affectum [illegible]
[illegible] forte
magis [illegible]
et [illegible]
[illegible] ad [illegible] ad
[illegible]
[illegible]
[illegible] penas quod [illegible]
[illegible] penas [illegible]
minores mitigationem pene
[illegible]
penae acerbitates [illegible]
[illegible] ut [illegible]
[illegible]
[illegible] remissionem [illegible] in
mitigatio ut [illegible]
[illegible] penis [illegible]
[illegible] pene ut [illegible]
[illegible] ut [illegible]
ut [illegible] magnum ut
[illegible]
[illegible] reddit
[illegible] in penis purga-
torii [illegible] moritur homo
[illegible] heres [illegible]
[illegible] longo
tempore et [illegible]
[illegible]
ut hec [illegible]
[illegible] penam
[illegible] in purgatorio
penas [illegible]
[illegible]

Sexto dicendum [illegible]
purgatorio ad dolorem
[illegible] sequatur [illegible]
[illegible] in penis [illegible]
[illegible] Doctor quod [illegible]
[illegible] in [illegible]

ad dolorem seu ad displicentiam
[illegible]
[illegible] ut totaliter
dimissionem pene exterioris
Primi si [illegible] daret [illegible]
[illegible] et [illegible]
[illegible] statim in purga-
torio si minoris [illegible]
[illegible] et [illegible]
[illegible] illo dolore [illegible]
[illegible] et [illegible]
dolor [illegible] pena et
[illegible] sit
pena ut [illegible]
Septimo dicendum [illegible]
suffragia [illegible] in
purgatorio [illegible]
penam [illegible] idem
doctor quod de suffragiis
quod penalibus [illegible]
[illegible] fit [illegible]
[illegible] hic adde quod
[illegible] potuit [illegible]
[illegible] hic [illegible]
[illegible] alia ut [illegible]
[illegible] ut forte [illegible]
opera [illegible] et [illegible]
[illegible] indigentibus [illegible]
[illegible] de suffragiis
[illegible]
[illegible]
[illegible] quod suffragia [illegible]
[illegible] parochia [illegible]
magis [illegible]
ad illam [illegible] et
[illegible] aliis
[illegible] parochie
et [illegible] quod suffragia
[illegible] pena [illegible]
[illegible] ut [illegible]
[illegible] magis [illegible]

Mereamur quod alicui consilium [illegible] cedunt suffragia generalium scitum [illegible] communi [illegible] aliis [illegible] specialiter applicata suffragia [illegible] ascendere [illegible] [illegible] [illegible] ut quia [illegible] ut alii [illegible] [illegible] [illegible] exhibent [illegible] [illegible] [illegible] nos [illegible] [illegible] [illegible] et alia [illegible] [illegible] divitibus et potentibus si [illegible] bona in [illegible] fuerint pos[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] fuit [illegible] [illegible] [illegible] [illegible] [illegible] collegiis vel [illegible] libera ut liberorum [illegible] [illegible] [illegible] [illegible] [illegible] quanto et [illegible] ipsa bona [illegible] [illegible] [illegible] fuit [illegible] [illegible] [illegible] [illegible] purgatorio [illegible] [illegible] [illegible] [illegible] [illegible] augebit in celo [illegible] [illegible] [illegible] pena [illegible] [illegible] [illegible] [illegible] [illegible] doctrina patet.

Utrum durius [illegible] [illegible] quod pueri [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

quod [illegible] [illegible] [illegible] [illegible] moriuntur et [illegible] [illegible] [illegible] loqui

Cum [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] celestia [illegible] [illegible] [illegible] [illegible] [illegible] regni celestis [illegible] [illegible] [illegible] [illegible] [illegible] quod [illegible] [illegible] et [illegible] [illegible] loqui [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] in purgatorio [illegible] [illegible] et suffragiis indigent [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] infernum et purgatorium [illegible] originali [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] adoptionem [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] purgando [illegible] [illegible] [illegible] et [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] minores [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] purgatorium [illegible] [illegible] [illegible] [illegible] purgatorium [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] bona [illegible] potuit ut aliquem [illegible] [illegible]

Utrum durius [illegible] [illegible] pena purgatorii [illegible] [illegible]

aliis [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] statu ut [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] in limbo et [illegible] [illegible] [illegible] in purgatorio [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] in limbo [illegible] et purgatorio [illegible] [illegible] [illegible] et [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] in limbo [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] et [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] minores [illegible] [illegible] [illegible] aut [illegible] [illegible] ut remissionem [illegible] bonum [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

q̄ mortuo meruit ... ex pt
ei merces remissionis nisi pe
et penã grām et augmentū
gloriæ quasi q̄d compellit
excedit de bonis q̄d ... ipsius
mortuo p̄t mereri ... sequit
2° q dicit sic divinam
solū recipiet in premio eternū
id q̄d ipse meruit opes
... pie distribuendo a q̄d
meruit ante mortē uel
an ordinando q per manū
ad eius gloriam distribuerent
executores ... premiū eternū
recipiet p executores ...
... longe
maiorem gloriam ... 3°
mereri ... de ...
... disposuit ...
executores distribuendo ...
ut ... augmentū
... habebit ...
... purgatorij ...
executores distribuat.

Omnia ... suffragium
... liberatur ...
alij ...
... applicat ...
sit ... admissaliom
... celebrat
missa ... memoria ...
et defunctorum ...
debens missa ... ut
defuncto ... liberaret ...
... missa ... immediate ...
... memoria
... alijs ...

... ut ... ut ...
ut ... sed ...
... ipse ... et ...
... fidelibus ... ex
... collegium ut a
... duobus ...
... missa ...
... liberaret ...
tm ... missa ... ex ...
liberat ... statuto ... statuto
... regulariter
... liberat ...
esse ut ... ut ...
... alicui ... satisfaciat
... possit ... ex ...
... promittere ...
... liberat ... satis
... ambobus
... missa
solum ... missa
... promisit ... unā ...
tenens missa ... missa ...
... missa ... et
ergo promittens ... ...
... et ... licet ...
... alios ... liberat ...
... collegio ... ut ...
legit ... totum ... solum
... ut ... prim
... salvo ...
... constitutio ...
... ut ... missas
... supponere
... petens ...
... posse ...
ut ... religiose ... promisit
missas ... applicat ...
alie misse ex difficultatis

... liberatur ... ex
... bona ...
... integraliter ...
... ipsi ...
... ex
... maxime
... qui ... ipse ...
ut ... debet ... sancti ...
... impetrat ... procurat
qui petit missas et ...
... obligatus ...
... ipse ...
... cathedrali religiosa
ut ... et
... et ...
petit missas ut ...
... liberat et satisfaciat
... ipse ...
... ipse ...
... esse et ... ex
... ...
... et ...
... et ... ...
... ipse ... 2°
petat ... modo ...
... collegiate ut ...
... ex ...
... petens
specialiter ... ...
... et ...
hac obligatione tenentur illud
... et ... ...
... illud et
... tenetur promisso ...
... dicat ergo ... ut
... legatis et
... petit ... ex
... legente unam missam

sed illud ... satisfa
... missa ... prim
celebrans missa ...
... obligatus ut ...
... ex ... celebrans
ex sua missa ualeat ...
ita ex ... satisfecisse ...
et ... intendat ex ...
... satisfaciat
ex ... celebrans ...
... ex applicet missam ...
ex intendit ex reddat ...
a ita ex ... reddat
satisfaciat ... ualet ex ...
... satisfaciat et ...
... satisfaciat et ...
... unam ... celebrat
... missa ad satisfaciendum
... missa satis
... ex
... satisfaciat promisso ...
... legit ...
unam missam ...
... et ...
... ponat ex celebrans
intendit ex ... celebrans
... satis
... ex ... ex
... celebrans ...
... et ... celebrat ...
... satis ...
celebrans ... satisfaciat
... exsistit ...
... ut ...
dicat hac ... ex ...
... legem ...
et ... hoc ... executori
ex ... promisit testator ...
... illi ...

xtus

cumissi eciam demo gratiam
de suff[ragiis] ... excusatur
ut per compensationem ipse eciam
refferat quod ex ... tibus
fiat pro aliis omissis pro aliis
suffragiis recompenset ut si
legit psalmos omnia ...
ta recompenset ... per//
alias omissas ut per alia
suff[ragia] forte excusaret aptus
et quod heretici congregatos ...//
... et suff[ragia] ... quod
... sint revocandi ... etc
vel possint ... apud deum

Utrum magis utile sit prelatis rogare

impetrare i[n] 3a utrum sit ... ut
utrum utile sit ... prelatos
rogare et ... possit ...
... adeo impetrare 4a
questio prima secundum Bona[venturam] ex
... sit ... ex ...
... ex ... ad ... quod ...
pro utilitate ... orat ... e
quod deo ... si ... //
... et ... ...
offerens specialiter ... e
quod ... e ...
... regula ... orare quod
revelet si ... revelare
... ...
2a ... e quod ... e ...
esse ... //
... salutis ... quod
... hec ... et ...
requirit si revelare ...
orat ... specialiter ... offerens
quod ... specialiter ... ...
... adiutores quod
... ad salutem ... petit

2a questio

aliquo 2a questio ... e ...
utile prelatos ... ...
... ... //
... 2a ... ... quod
... extra e ... utile prelatos
... ...
... ut ... ...
... ... patronum
aliena 2a ... e ... prelatos
quod ... aut prelatos ...
... ...
... ut ... ...
... ... 3a ... e ...
... ut prelatos ... ...//
... ...
... ...
... ... 4a ...
e ... ...
impetrat ... et ...
... ... //
... et ... ...
adepti ut ... ...
et ... ...
suffragium ... ... //
... ... quod ...
... ... et ... e ...
nolle et ... et ...
... ... ut ...
deum diligere ut ... //
... ... deo ...

3a questio

de hec bona 3a questio
... ... utilitas ...
... ...
... ...
e ... ...
... e ... ... ut
... ...
... e actuale dependens

deo oblatum ... ut
aliquo obtineat optatum ...
... ... specialiter ...
si revelat ... ...
... ... e ut velit ...
... ... ad salutem ... ...
specialiter ... si ... ...
... ... ex ... ...
... ...
... ...
et ... ...
... ...
... e ... ...//
... et ... ...//
... ... 2a ... e ...
... ...//
... nolle ut ... ...
... ...
... attingit ... at//
tingat ... ita ... ...
... ...
aliis ... ...
... acceptant ... ...
... adepti ... ...
... ... nolle
orat ... ut ... ...
ad ... ...
... ut ... ... attingat
... ... aliis ...
... ...
hec ... ...
... acceptant ita ...
... ...
... bone bono ... ...
... bonum ...
bona ... ...
... ... bonum ...
... et ... ...

xta questio

... ... secundum Bona[venturam] ...

... ...
... nolle ut nolle exaudire
... ad salutem ... ut ...
... ...
revelat ... ...
salute ... ... revel//
... ... salvandum
ut ... ... salvaretur ut
i revelat ... exaudiendo
... ut ... exaudiendo ...
... ...//
... si ... exaudiendo ...
ut revelet ... ...//
... ...
... ... orat
... sit quod ... velit ...
... quod ... aut ... ...
ut exaudire ... aut hec quod//
... ...
... ... ut ... ...
... ... revelat ...
quod velit ... quod ...
exaudire ... ... orat
... ...//
... ...//
... ut ... ...
... ...//
... ... ut ...
... orat ... et ...
quod ... ... et ...
... ... quod ...
... ...
... secundum Bona[venturam] ...//
... deo oblatum ...
... ... ut aliquo ...//
... optatum 4a secundum ...
... e ... ...
ut ... ... secundum ...//

decimo spu i scti desiderando
omnes electi ut sz id celitus cli-
mentiam orant pro nobis deum et
spu omni tamen dicunt exorantes
deo offerre tamen non expectamus
nos deo cognoscere sicut
sanctis affectibus desiderando
veracissime pro nobis quod et
nos desideramus sicut pro
quibusdam continuis docent quod
quamvis nescit loqui coram iudice
qui debet advocatum ut loquitur
et allegat proposita sua ad impetrandum
cum sic est quod nos non possumus
sicut orare coram deo quod omnino
tamen advocatis et allegatoribus
magnis in superna curia assi-
stunt cum et orantes oratione
aperiunt suis mentis desideranda
et deo offerunt sincera vera
et ardenti devotione et di-
lectione est tamen etiam semper
deo tractat fortius in cla-
mat in auribus dei et plures
exaudit deus eos et nos
fabricans motu affectuum aut
merito tepide sic si affectus
cum summo ferventissime et magis
elevate eodem desiderando
pro nobis quod nos desideramus non
attendunt eadem fervorem
et propter hoc dicit se pro
mentis recommendare et offerre
deo quod deus elegit accedit di-
sposit sic ut suis sanctis desideriis
deo recommendatae precibus ampli-
us si sint pro nobis ut ut
spu conuoluti dein deo con-
venientes quod sita nos faciendo

quod et cum electis omnino quod
eis impleant voluntas sicut aut
in effectibus quod omnino tamen cumque
in mente dico corpore multa per-
fragat nos ut dictum est
et apostolo dico nota mea
desiderant et impetrant ad-
iuvari

Vltimo ecce dicitur tre
boni quam mali sint
conspectu iudicis iudicandi
et deus quod ut ipse 10
de eis nos omnes in tri-
bunali christi ut recipiat unus-
quisque propria corporis prout gessit
sive bonum sive malum quod et
indicat id sicut dicit 12
sicut deus exaudiet domine
iustus cum et in novaliter
de quoniam sic hoc et cetera
iudicio et eo ut placet quod
eis iudicabitur sicut dicitur
dicto dicit dextro quod venturus
est iudicare vivos et mor-
tuos sic primos et mortuos
quod erunt eis tamen hoc est que
iudicis ut sancte iudicare
quod erit omnium sicut hic est
conveniens omnino sicut ad
eis perfecta sententia in vos omnes
dicitur 12 tamen dicitur quod adexit
eis dictum est astringit aut
sicut iudicandi fuit admonitus
prauum dicitur iustus quod
potissime manifestabit ad eos
patet id apperit quod cre-
verunt non misericordiam rei et
videbit eum eis ergo iam est
iudicio est id sicut quoniam tunc
resurget omnis iudicio quod

Ho pda

iu dictum est sicut augustinus
et glo quod omnes cum iudi-
cabunt omnia iudicio sicut per id
iudicati sunt sicut dicitur quod ad
iudicandum domino pertinet sic di-
scussio meritorum et retributio
operationis sicut hic est dux
actus iudicii sicut iudicandi di-
scussionis et iudicandi retribu-
tionis dicitur porta dicitur 2a
dicitur q 1a ar 10 3a cum supple-
mentum ubi tamen ii contra addi-
mentum 3m sicut iudicandum
dispositionis quia boni omnes
apponunt omnes deo in futuro eis
loco quod iudex statuet oves
a dextris edos non a sinistris
dicitur 12 hoc iudicandum competit
christo iustitia cum iudicare ome
dedit et dedit eam meam
depositionem cum sicut dicitur glo
loquitur tempore x sic etiam quamque
cum zizania aequaliter iudicis
seperari misericordia in futuro eis
loco exclamat dicet iudicia
cum dicit tamen patet quod hoc
iudicandum est in separatio mediante
est aucta que boni differunt
a malis deo et mediante spiritu
aliud meritum quo differunt
a lectis eis loco et tempore in futuro
secundo prima eis homines
futuro iudicio competunt quod eis
homines manifesti dicitur in tribunali
christi ut propria cuique in corde et
quod quod allecta est apperit
in tamen quod eis tamen dicitur tangit
dicitur dicitur in q 1 ar 10
3a cum supplemento sub articulo 1 primum

quod est ex parte iudicandi sicut
hoc relatum est primum similit-
er cum passionibus exhibuit ut apparuit
per gratiam sanguinis pavidus
fundit qui misericordia hoc tamen
nobis effectum fuit sicut dicitur
indigne iudicandi etiam quando
o ut eis homines iudicio vo-
cavit adiuvandum cum exul-
tatione in humana natura sicut quod
penitentiam et addit iudex in vivos
et mortuos ut dicitur actuum
x secunda quaestio eis homines tamen
boni quam mali sunt in futuro in-
dico distinctis et retributionis
iudicandi sicut ut non statuet
oves a dextris et edos a sinis-
tris et illis sicut supplicium
eternum iustis aut vitam eternam
dicitur 12 2a quaestio est quod ut vivi
quisque recipiet eternam sententiam
secundum ut poena vel vita
rependenda meritorum propriorum
bonorum aut malorum recipiunt
sicut dicitur 2a 2d quod
iudice revelatis iustis iudi-
cium deus reddet deus unicuique
sicut opera eius his quidem qui
sicut patientiam boni operis gloriam
et honorem et incorruptionem qui-
rentibus vitam eternam hic aut
qui contentiosi et qui non ac-
quiescunt veritati credunt aut iniqui-
tati ira et indignatio
et tribulatio et angustia in
omnem animam operantis malum
3a quaestio sicut eis homines sicut
aliqui in futuro iudicabuntur vel
deo discussionis sicut aliqui

2a q̃o

3a q̃o

sunt tecta boni et aliqui
adeo mali quod nullum di-
stinctionis meritum habent boni
aliqui vero sunt ita me-
diocriter mali et aliqui
ita mediocriter boni quod
nullum est ut eorum merita
indicibiliter discernantur. Item
cum quo apponam paleae pro
modo illi qui aedificant super
fundamentum fidei aurum et ar-
gentum et lapides pretiosos. Sunt
lignum [illegible] primae cor. 3° dicitur. sed
magis [illegible] consistentes continua
admixtione notatur. Quod
mali multi habent meritum di-
stinctionis multorum bonorum, hoc est
sed sunt illi qui [illegible] mali [illegible]
[illegible] falsitate cogitant [illegible]
quod sunt [illegible] et non salvabunt
et non [illegible] sed [illegible]
[illegible] ad Gal. 3°. In dominum
[illegible] tribuit [illegible] est autem
quod in infidelibus non est fidei fun-
damentum quo sublato eadem opera
sequentia [illegible] [illegible]
[illegible] cum non est meritum aliquod
permixtio bonorum multorum
admixta quod distinctione re-
spiciunt [illegible] dicit
qui non reddit ad [illegible]
[illegible] 3° et similiter [illegible] [illegible]
[illegible] [illegible] [illegible] in
[illegible] ad [illegible] ad
indicium [illegible] [illegible]
[illegible] vide Augustinum [illegible] [illegible]
quos autem [illegible] modo illi qui aedi-
ficant super fidei fundamentum
lignum fenum et stipulam
ad [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible]

ita tamen quod non [illegible] Christo [illegible] si
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] bonorum
[illegible] mali [illegible] [illegible] [illegible] distinctione
multorum meritis bonorum [illegible]
[illegible] [illegible] [illegible] [illegible]
et salvabuntur [illegible] ad [illegible]
[illegible] cor. 3° dicitur [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ita quos autem [illegible] mali [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
fidei fundamentum [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
se quo [illegible] [illegible] [illegible]
[illegible] admixtio [illegible] [illegible]
indicium distinctionis bonorum [illegible]
[illegible] dicit [illegible] [illegible] [illegible]
et non [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] mali
[illegible] [illegible] [illegible] [illegible] di-
stinctione multorum [illegible] [illegible]
[illegible] [illegible] infideles [illegible]
multorum [illegible] [illegible] [illegible]
[illegible] [illegible] quod indicium
distinctionis non est boni [illegible]
[illegible] bonis [illegible] mali [illegible]
[illegible] in bonis [illegible] [illegible] ad
mali [illegible] [illegible] ad bonum
[illegible] admixtio distinctione
[illegible] [illegible] [illegible] [illegible]
cum indicati [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

[illegible] est quod [illegible] [illegible] [illegible]
ut mali [illegible] [illegible] [illegible]
et hoc [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et boni [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et mali [illegible]
torquebuntur [illegible] [illegible]
[illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] aliqua [illegible]
Item [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] di-
stinctionis [illegible] [illegible] [illegible]
[illegible] reddit [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] et reddit [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] distinctiones
[illegible] boni et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
repugnat [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible] [illegible]
[illegible] est valde [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

et est [illegible] [illegible] loquentes [illegible]
et [illegible] [illegible] sunt et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] distinctiones [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
quod [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] aliquando
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] mala [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et ita [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] distinctio [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] sed ut permixtio bonorum
multorum admixta [illegible]

adiu

ad 2m

238

ad yto

ad yto

ad yto

omnibus malis etc. di[illegible] complet
adeptus est idem qui [illegible]
lo[illegible] ad [illegible] mortis
gentibus cum sup[illegible] h[illegible]
q incorporibus repriri poterit
[illegible] tamen fortes atque [illegible]
ad [illegible] [illegible] sic prius
itonit [illegible] turbine in [illegible]
mediante [illegible] pt. q [illegible]
ille referendo e adillas qui
tur omni repleuit non additur
q ultra erit mala superius
[illegible] [illegible] [illegible] q lib
[illegible] de[illegible] q mali fecit
[illegible] tunc pt terribilis in i[illegible] al//
[illegible] pro [illegible] pro [illegible] fiat
q iudicio distinctionis est eo//
fideles [illegible] non est ab
[illegible] [illegible] quo [illegible]
et [illegible] [illegible] fidelibus om//
[illegible] [illegible] pt. et [illegible] fide pla//
cere [illegible] e [illegible] adhuc
ii [illegible] [illegible] [illegible] q [illegible]
id [illegible] [illegible] e [illegible]
[illegible] et [illegible] [illegible]
angelis [illegible] [illegible] [illegible]//
[illegible] [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] e
sua et [illegible] q [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
q [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] miles desinit [illegible]
[illegible] donatum [illegible] col//
[illegible] ut [illegible] [illegible] [illegible]
e [illegible] q [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

[illegible] apud Tho. petro de tharantasia
et aliis doctoribus eadem om
[illegible] q [illegible] predicit [illegible]
[illegible] [illegible] et [illegible]
et [illegible] [illegible] q [illegible]
[illegible] [illegible] [illegible] [illegible] om[illegible]
[illegible] iudicio [illegible] ut [illegible]
[illegible] [illegible] bonum [illegible] et mali
[illegible] [illegible] [illegible]
[illegible] [illegible] et petrus de
tharantasia

Utrum homines et omnes [illegible]
[illegible] iudicati [illegible]
[illegible] [illegible] [illegible] q [illegible]
de iudicium dedit filio ut [illegible]
[illegible] filium [illegible] [illegible]
[illegible] [illegible] debet in
[illegible] i iudicio [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
debilis [illegible] sedes iudicantes
[illegible] [illegible] [illegible] q [illegible]
[illegible] iudicandi et [illegible] hac [illegible]
distinguit iudicium [illegible]
[illegible] [illegible] quo iudicabit tota
[illegible] [illegible] id [illegible] [illegible]
[illegible] [illegible] et [illegible] [illegible]
iudicabit fines terre [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] quo iudicabit [illegible]
[illegible] [illegible] allegatum ergo [illegible]
[illegible] de iudicium dedit filio [illegible]
[illegible] [illegible] [illegible] filium hominis
[illegible] [illegible] [illegible] et [illegible]
[illegible] et [illegible] [illegible]
filius hominis [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
et [illegible] [illegible] opera sua
[illegible] e [illegible] dignitatis
quo iudicabit [illegible] et [illegible]
[illegible] [illegible] id [illegible] [illegible]
[illegible] [illegible] [illegible] e [illegible]

et iudicare e [illegible] [illegible]
[illegible] et [illegible] [illegible]//
[illegible] [illegible] [illegible] [illegible]
et [illegible] iudicare dicitur [illegible]
[illegible] [illegible] illud
[illegible] [illegible] [illegible] [illegible]
de hac [illegible] [illegible] [illegible]
iudicabit [illegible] [illegible] [illegible]
e [illegible] hac [illegible] iudicare
dicitur [illegible] [illegible] [illegible]
dicitur iudicare [illegible] [illegible]
[illegible] iudicandi et [illegible] hac [illegible]
dicitur iudicare [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
iudicandi [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible]
iudicare i iudicio [illegible] [illegible]
[illegible] et malorum [illegible]//
[illegible] [illegible] et [illegible] et
petrus de thar[illegible] et [illegible]
i [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et hac
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]//
[illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible]
[illegible] et alii [illegible] iudicandi
[illegible] [illegible] [illegible] e [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] iudicium
[illegible] e [illegible] [illegible] [illegible]
[illegible] iudicare [illegible] e [illegible]
[illegible] [illegible] id [illegible] [illegible]
[illegible] [illegible] [illegible] iudicium
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
q [illegible] et alii [illegible] [illegible]

dicitur iudicare ut assessores
[illegible] [illegible] et hac q [illegible] [illegible]
[illegible] [illegible] iudicio [illegible]//
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] iudicabit
[illegible] [illegible] [illegible] [illegible] lex
iudicare dicat [illegible] [illegible]
[illegible] iudicium [illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
homines iudicationi [illegible] [illegible]
[illegible] q [illegible] [illegible]
[illegible] q [illegible] [illegible] [illegible]//
[illegible] legitur [illegible] [illegible]
[illegible] [illegible] q [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] iudicare [illegible]
[illegible] [illegible] [illegible] [illegible]
hac [illegible] [illegible] [illegible] [illegible]//
[illegible] [illegible] et [illegible] [illegible]
q [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] [illegible]
qui iudicant [illegible] [illegible] est
[illegible] [illegible] [illegible] et iudicare
e [illegible] [illegible] [illegible] iudicare
e [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] q [illegible]
e [illegible] [illegible] [illegible]
et hac [illegible] [illegible] [illegible]//
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
ut [illegible] q [illegible] [illegible]//
[illegible] debetur ut [illegible]//
[illegible] [illegible] iudicium [illegible]
et [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

Et tunc eius maiestatem divine
nature quam prius non viderat contempla-
bitur adeo quod omnis obiectum quare per-
vidit deinde omnes creaturas
et quia id dicitur ut [illegible]
per logicam patet omnis creatura
quia id dicitur Christo [illegible] deus
sit et deitati [illegible] si nunc
diiudicio omnes [illegible] Date quod
[illegible] deum videatur cum vide-
mus [illegible] hoc dicitur Christo homini
et non aliis nisi [illegible] [illegible]

Utrum aliquod iudicium
generale sit futurum [illegible]
quod cum ergo deus de [illegible]
[illegible] hominum operibus [illegible] post
mortem corporis iudicat [illegible]
[illegible] [illegible] [illegible] penalibus
[illegible] iudicat et [illegible]
vita dicitur et [illegible] vita
[illegible] [illegible] vel malis operibus
[illegible] vel [illegible] sed deus non
iudicabit bis in idipsum ut dicit
Naum [illegible] [illegible] secundum aliam litteram
non consurget duplex tribulatio
[illegible] quia per iudicia que deus
facit [illegible] de [illegible] operibus
hominum [illegible] post mortem [illegible]
est hic [illegible] non sit ad
iudicium futurum [illegible] in [illegible]
extremo fine [illegible] iudi-
cium sed [illegible] dum [illegible]
que adherens e [illegible]
regni ut exclusione [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] alii
[illegible] regnum et
[illegible] excluduntur [illegible]
[illegible] ergo non sit aliquod
iudicium futurum [illegible] [illegible]
hoc [illegible] iudicium [illegible]
[illegible] quod [illegible] [illegible] [illegible] deus

sit diffinitum secundum omnem finem mundi
dictata [illegible] [illegible] [illegible]
sua dampnatio et [illegible]
[illegible] sua [illegible] [illegible]
non [illegible] aliquod iudicium [illegible]
futurum [illegible] [illegible] [illegible] math.
[illegible] [illegible] [illegible] venerit filius hominis
in maiestate sua et [illegible]
non [illegible] [illegible] sedebit super se-
dem maiestatis sue et [illegible]
[illegible] [illegible] [illegible] [illegible] gentes
[illegible] [illegible] quod generale
iudicium sit futurum [illegible]
[illegible] fide et scripturis [illegible]
[illegible] [illegible] augustinus [illegible]
[illegible] [illegible] [illegible] et [illegible] [illegible]
[illegible] testati scripturis additur
in [illegible] [illegible] non [illegible]
[illegible] [illegible] [illegible]
[illegible] magnas [illegible] [illegible]
[illegible] et [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
dico vobis tyro et sydoni
remissius erit in die iudicii
quam vobis [illegible] [illegible] [illegible] paulo
post [illegible] [illegible] [illegible]
dico vobis quia terre sodomorum
remissius erit in die iudicii
quam tibi [illegible] ut [illegible] augustinus
[illegible] [illegible] [illegible]
iudicii [illegible] [illegible] [illegible]
loco [illegible] [illegible]
surgent [illegible] non [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] et [illegible] [illegible] [illegible]
surget [illegible] non [illegible]
[illegible] et [illegible] [illegible] hic
ut [illegible] augustinus [illegible] [illegible]
hec [illegible] [illegible] [illegible]
[illegible] iudicium et non [illegible] [illegible]
[illegible] esse [illegible] [illegible]

[illegible] et de regnum [illegible]
ita [illegible] [illegible] [illegible] lo-
[illegible] quos [illegible] in die iu-
dicii resurrectionis [illegible]
Subdit [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] iudicabis [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] iudicia [illegible]
[illegible] et [illegible] [illegible] [illegible]
[illegible] [illegible] iudicat [illegible]
[illegible] de paradiso et ligno
vite [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
iudicio [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] et
[illegible] [illegible] [illegible] et [illegible] hominum
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] vita [illegible]
[illegible] [illegible] plenissima
iudicat [illegible] [illegible] [illegible] [illegible]
[illegible] demonum [illegible] hominum
ut [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] de-
singulis [illegible] [illegible] [illegible]
[illegible] arbitrio [illegible] [illegible]
sua quinque [illegible] [illegible]
[illegible] et [illegible] [illegible]
iudicia [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
vita mali [illegible] et [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] et [illegible]
[illegible] ut [illegible] [illegible] et [illegible]
[illegible] diffuse tractat augustinus
iudicat [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] penas [illegible] post mortem

[illegible] [illegible] [illegible] [illegible]
post mortem [illegible] [illegible]
iudicium [illegible] [illegible] novissimum
[illegible] [illegible] de celo venturus est
[illegible] iudicare et mortuos
iste quippe dies iudicii [illegible]
[illegible] eo quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] sit
felix et [illegible] [illegible] infelix
[illegible] [illegible] [illegible] [illegible] bonorum
[illegible] et plena felicitas et
[illegible] [illegible] malorum digna
et [illegible] infelicitas [illegible]
[illegible] [illegible] quod [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] pena [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] debet [illegible] iudicium [illegible]
[illegible] [illegible] [illegible] [illegible] post
mortem [illegible] [illegible] recipiet [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] in quo [illegible]
[illegible] [illegible] aliud [illegible] [illegible]
debet [illegible] [illegible] [illegible]
[illegible] [illegible] iudicari
[illegible] [illegible] [illegible] et
[illegible] iudicium [illegible] [illegible]
[illegible] [illegible] [illegible]
iudicium [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] non sit [illegible] [illegible]
[illegible] iudicabitur [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] iudicia [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] deus [illegible] iudicat [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] pena [illegible] [illegible] [illegible]

no fucat mistio indico ofn
omp[illegible] tenuialiu[illegible] quo ad q[illegible]
et corp[illegible] [illegible] ad [illegible] d[illegible] [illegible]
[illegible] p[illegible] [illegible] [illegible] indi//
[illegible] e [illegible] [illegible] honore
[illegible] [illegible] indiciu[illegible] no p//
[illegible] [illegible] et quo adopti[illegible]
[illegible] plene [illegible]
[illegible]

[illegible]

multo scripture [illegible]
[illegible] incarno indicio [illegible]
[illegible] metat [illegible] norat
[illegible] metat tm [illegible]
[illegible] virtute [illegible]
[illegible]

[illegible]

is Unde sc ex adhoc q
xpus iudicet ut ho mo ho mo
sit ipm appare iudicio cun
forma humana ita ut omi
dirandis videat s ess reser
ut abrepit tamqu rex iudex
cum humano principium premit
et malos incipiens et bonos
concedentis audiat alias
n' pderet i tamen ypocrita
entium actio indicatie mo
humano excercendo iter pma
de capitao hys ita quos
fiet i pe inite iudicio pti
rem alias excitatis temporibus
fiet pma primar ita cum
iudicio generali rem alias ro
gelius remeditatas dt fore
et cum pellid primar si ess
tempar item tota trinitas
iudicabit crimpiad xpo hoie
s sp pma erat tm oculis
et spualis pmiso crimpeciando
adhibet i pma est notal
S. d. papie xpo dr dispersit
illos prelatos sit iure i pma
am erat notal item illud est
fensta si notal plano sint
est eo q ora ipe in tali
plano disponant aduersi
illos est sm oflo idem ex
pcede id sit inire sic ex
rursorib tm sit pi iudic ar
rusatori et hic decreptatores
et hoc e est qd magis dt
ro deri dd cui tm erat
quedie loquete locu adhuc
est q pr respect apparuo
iudicis ita et notal plano

ultis est admiret tempore
bonorum et adducit dolore
tempore malorum et ro mo at
fuisset pma e xpo de
mecha ulla et petri de
thars Cap. pes gestos p i
v' iudicio fiet dispersio pm
gulorum meritorum bonorum
et malorum op ut dt gloria
pep id tars xpo illuminabit
abscondita tenebrarum pd
sita et cogitata bona et
mala tm apta et nata
erunt enim si hec dispersio
tno notar fimentar tm fiet
ex p' notar pm lucem facta
cruciarent in ipsa magis
tpis adhoc exigerent ur
angelus deri di ra lo xpo
loquens de ho depnc dr
appar ro exprs scriptura
ora iudicabit dt ex p'
talia i' ordinat exigitur
ops cui magna re ad bon
gilia re valeat comma
aut ofmi ipe legi poterit
talia mg' pepte sit vinique
vite comiquaque mo al omni
tpi reddet admeirandum
oculis pm lucem fata ex
adlegendo p' erit ill
meritorum scripta i est
Item angelus illud concludit
dicens qpe i avis e ms da
denud q fiet ut unicus
opa pua bona ut ma
la nota i memoria ri
uerent et mitt similiter

mira celeste erunt et atru
pet at excipit opera opera
alz sint ita pr et accit et pm
iudicent item ptz ia pps gestos
pcelum diffss sup id ps
Ci io excerceat inhui ra
cn dires tno e m' iudici
pm lucem hemi verissim d
ponda dispersio si in merita
mea dispersi pt ora pt
fient et iudicet Cu pe q
i' io extmo iudicio gme pm
gulmus erit sit libro gti
mentes rex gestas expresse
fiet iudicio pr ipsi mim
dico hiemo iudicis utiliter
regis tas et ill put libri d
quibus apparet iu dr et
libri apti sint et alii libri
apte e q e vite et iudi
cati sunt modum eius
q scripta erunt in libris
rm opera qd exponens
angelus ri' deri di rex dt
q libri illi quos prori loco
proponit aufert sunt sancti illis
et nouni uiciis de cum dicet
q mandata sunt misi sed
ut pulcdit angelus plausibilite
decimo pulcri que aufert con
scie pm lucem q put libri ui
te contingentes i mo tn sont
qd quisque fecerit ut mo fe
rent hore q ens pr i hiis
pauciis ee iussa et mandata
ta et dnt tres pm lucem
opie ullarum sm angelum
pcdem ex cuna volite dena

fiet ut unicus opa pua admo
mortalis redderet op ommis
ius dnd est libri mo ar
repit mea ope qd dixpo
le ipsi ea facile reddit
ut videat q' omnium undi
rondi sint pusilli et magni
Cum ptz q pm lucem opie te
dicit libri vite pp rerum op
detam fiet p' aus dnd q
thed mo ipse opat dr liber
vite causalit item ptz de
t ita d' expa primos libros
onus sunt opie pm lucem q
rm ved q e liber vite pma
iudicis rum prudentia de
scripta Adhuc om o to
gre q pma fiet pp testium
no tm bono sr ape pro
testio fiat om quolibet est
omnia s et aliis mata
palid notar redempnatur
item pp dua q testis
testium fiet notar peccatores
Cum dt xpo dnd ulla
q rtato iudicatorum est
notis et mtal op m
tar notabit aduidendo
dnd metitie et hoc pe
rumpendo om lucem
id est ex mittet om tus
prios et congregabit electos
suos ex ar iustis hec est
qd facient om lu rad tuis
et exponit sr mitalis
et notal est reprobos ar
rusare temperalit n' eos
opie ipsorum sm apostolum ad
romanos 2' et condicatas

[left page, column 1]

[illegible] aliqui erit [illegible]
id semper [illegible] traduxit [illegible]
[illegible] viscositas [illegible]
est notatur [illegible]
ut [illegible] dicit eis
[illegible] et [illegible]
[illegible] matheus [illegible]
[illegible] primo [illegible]
iudex [illegible]
[illegible] procedit [illegible] testi//
ficare [illegible]
[illegible]
[illegible] ita [illegible]
testificabit [illegible]
[illegible]
[illegible]
[illegible]
testificabitur [illegible]
[illegible]
est notatur [illegible]
facta [illegible]
[illegible] et [illegible]
tendit [illegible]
[illegible]
[illegible] iudex
[illegible]
ulla [illegible]
[illegible]
tanto [illegible] augustinus [illegible]
[illegible] dicens [illegible] iudicium
tendat [illegible]
ut [illegible] notatur [illegible] notatur
[illegible]
[illegible]
monicio [illegible]
[illegible]
[illegible] et [illegible]
[illegible]

ad [illegible]

[left page, column 2]

[illegible] auctoris [illegible]
[illegible] tempus valde [illegible]
[illegible] augustinus [illegible]
[illegible]
de ista [illegible] auctoris [illegible]
[illegible] legent
[illegible] dicit [illegible]
[illegible] dicens [illegible]
[illegible] liber [illegible]
[illegible] ante [illegible]
[illegible]
[illegible]
[illegible] dicit [illegible]
de ea [illegible]
[illegible]
[illegible]
[illegible]
[illegible] ut [illegible]
[illegible] dicit [illegible]
[illegible] dux
[illegible] auctoris [illegible]
[illegible] eternas
[illegible] ut patebit [illegible]
[illegible]
ut [illegible]
[illegible] hic [illegible]
[illegible] doctoris
[illegible]
alia [illegible]
[illegible]
[illegible]
[illegible]
[illegible] et [illegible]
[illegible]
[illegible] notatur [illegible]
[illegible]
[illegible]

[right page, column 1]

obstinacio prima [illegible] satis [illegible]
et [illegible] pertinens propter
civitatis [illegible]
aliquod [illegible] assignatur
[illegible] et [illegible] dissensione
longius [illegible]
[illegible] iudex [illegible]
[illegible] dabit [illegible] nove [illegible]//
[illegible] ut [illegible]
[illegible] erit nox [illegible]
[illegible] valde [illegible]//
[illegible]
[illegible] individuis [illegible]
[illegible] notatur [illegible]//
[illegible]
[illegible] monicio [illegible]
[illegible] opera [illegible] et
[illegible] materia
[illegible] opera [illegible] notatur
[illegible]
[illegible]
[illegible]
et [illegible] iudex hic [illegible]
[illegible]
[illegible] et [illegible]//
[illegible] et [illegible] et [illegible]
[illegible]
[illegible] et
[illegible] et [illegible]
[illegible]
et [illegible] appellacione [illegible]//
[illegible]
[illegible] iudex [illegible]
[illegible]
[illegible]
[illegible]
[illegible] finito et
[illegible] expedire posset

[right page, column 2]

omnes simul una hora [illegible]

finitus in die sancti Laurencii
anno domini [illegible]
[illegible] est liber [illegible]
laus deo [illegible]

Johannes Somerfelt [illegible]

Diligite iusticiam qui
iudicatis terram Sapie
i° cº. Audite hec
gentes auribus perci
pite qui inhabitatis
orbe audite insipientes et percipite au
ribus non modo corporis sed cordis et
nolite obdurare corda vestra
Ad nos enim clamitans sapiencia
foris predicat in plateis dat vo
cem suam in foribus portarum urbis
profert sua verba dicens Diligi
te iusticiam qui iudicatis terram
De magnis preconiis locuta
et doctrinas salutares omnium re
gionum totius que orbis gentibus
ac populis tradita commendat a iu
sticia que secundum philosophum v° ethicorum
preclarissima videtur esse et neque
vesperus neque lucifer ita admira
bilis est Ipsam namque iusticiam val
de commendabilem et valde desi
derabilem docent lex nature sunt
et auctoritas sacre scripture Re
namque lex per rectitudinem quam dedit
humano corpori monet rectitudinem
iusticie servandam cuique homini Un
de Ecclesiastes vii° capitulo Invenit quod fecit
deus hominem rectum Et quid
indecencius quam recto corpore animum
gerere curvum prout dicit Bernardus Ea
propter quod iusticie sit per magnam partem
cordibus hominum naturaliter sit inserta
Dicitur ut Augustinus in libro confessionum Furtum
certe punit lex tua domine et
lex scripta in cordibus hominum quam
nec ipsa quidem delet iniquitas Nullus
enim fur equo animo furem patitur
Ipsam etiam commendabilem et multum
desiderabilem ostendit scripture sacre
auctoritas Nam ad eam monendo
David in psalmo dicit Sacrificate sacri
ficium iusticie et sperate in domino Item
ad mortem certa pro iusticia Deni
que eius amatores et observatores

beatificando dominus dicit Beati qui esuri
unt et sitiunt iusticiam Mathei v. et
ibidem Beati qui persecucionem paciuntur
propter iusticiam Hec est virtus
deo acceptabilis et grata hominibus
non salutaris et necessaria De ipsa
namque in psalmo dicitur Iustus dominus et
iusticias dilexit Et proverbiorum
xv Qui sequitur iusticiam diligetur
a domino Et item in psalmo Deo accep
tabile sacrificium iusticie Quomodo
autem sit hominibus utilis apparet
ex eo quod ipsa expresse nominatur
inter illa sex quibus in vita nil
est utilius hominibus Sapiencie viii°
Quomodo sit et hominibus salubris
manifestum ex triplici premio ex mer
cede de quo in psalmo Retribuet
mihi dominus secundum iusticiam meam
et proverbiorum xi° Seminanti iusticiam
merces fidelis Secundo ex imminen
ente salute Isaie lix Salus
tua in sanctitate iusticie Tercio
ex merito corone de qua Paulus
ad Thimotheum iiii° Reposita
est michi corona iusticie Quomodo
sit etiam ipsa iusticia hominibus ne
cessaria ex hoc ostenditur quod sine
ipsa nec regi nec esse potest ulla
gens aut regio nec populus
aut respublica prout Augustinus
in libro de civitate dei xix° capitulo
xxi ostendit diffinicionibus quibus
secundum Ciceronem utitur Scipio in
libro de republica Nam breviter
rempublicam diffinit cetum multi
tudinis consensu et utilitatis
communione sociatum Ubi autem iusticia
vera non est nec ius potest esse Quod
enim iure fit profecto iuste fit
Quomodo ergo ubi non est vera iusticia
iuris consensu sociatus cetus
hominum non potest esse Et ideo nec populus
iuxta illam Scipionis et etiam
Ciceronis diffinicionem predicta et s

pᵒ

2ᵒ

3ᵒ

no pplus nec res ppli ß qlis
cuiq3 multitudinis q ppli noie
digna no est Et p hoc si res
ppli publica res e ppli et pplus
no est qui consensu est sociatus
iuris No est aut ius ubi nulla
iusticia est Vn et sapiens ille q
cartagine3 extinxerat cu de
republica disputat hoc verissim
dicebat Sine summa iusticie re
publica regi no posse put na
rrat Aug9 li° 2° de ci dei c 21
Et illud li° iiij ca° 4° hat insi
gnius dicens Remota itaq3
iusticia quid sunt regna nisi mag
latrocinia Et ad hoc adducit
exempl eligant rin et vera
Cu allexandro illi magno qdam
conprehensus pirata rndit
na cu illu de rex hoie3 interroga
sset q ei videt ut mare haret
infestu ille libera contumacia
q tibi inq ut orbe terrarum s3
q illud ego exiguo navigio
facio latro vocor quia mag
classe imperator hec omia so
lerter attendens sapia d'celis
missa doctrina sua incipit a iu
sticia dicens diligite iusticiam
Et si queat aliqs cur no dix
erat diligite prudenciam ut aliq
alia virtute Rn q habita iusti
cia omes hnt cetere virtutes q
scdm phm li° v° ethi° Iusticia
no est pars virtutis s3 tota vir
tus Na iustu id est q legale
s3 scdm unaquaq3 virtute lex
precipit vivere et unaquaq3 ma
licia phibet Sic aut no est
prudencia gnalit accepto vo
cabulo ex q aplus ad ro viij°
Est quedam prudencia carnis et
illa mors est prudentia at
spus vita et pax et tamen et

i alios q virtutes dicit excepta
sola iusticia que de sua roe
ome viciu excludit Vnde Am
brosius examero ubi inq est
prudencia ibi interdu e mali
cia ubi fortitudo ibi iracundia
iracundia ubi temperantia ibi impacia
i concordia virtutu ceterarum haec
iam sapiam vo salutis psorretes
et dicentem audimus l luc no
quibus loquat audiamus illis
utiq3 ad quos sermo dirigit dd°
qui iudicatis terra Et qui sunt
hij n q alios psunt i spualibus
et tpalibus quos aplus ad ro
xiij vocat ptates sublimiores
quibus est obediendu dicens Ois
aia ptatibus sublimioribus subdi
ta sit Hec aut gna sunt princi
pes et plati et rectores ppli
Sed nunq ad hos solu extendit
se hec salutis doctrina sapie
Absit vatit namq3 doctrinam
hec salutare ad omes sapia
extendit que ut pia pr cura
salutis omi gerit Sicut nata
i formacoe et gnacoe aialis
no incipit a membris extrinsecis
s3 pede ut digito s3 a principalibus
s3 corde pulmone et epate a
quibus virtus vitalis et aia
lis i alia diriuat Vn cor est
primu vivens et ultim moriens
ut herbet in li° de aialibus
Sic eni oim virtutu integra ipsa
sapia ex corpo teredine dilapsa
formare volens corpus ecclie
i virtutibus moralibus int
quas arce tenet iusticia in
cipit a principalioribus membris
huius corporis cuius sunt hij qui
iudicant terra hoc est homes
terrenos terrenis desidijs
in hoies s3 principes x plati
cetiq3 rectores ppli ex quorum
bono regimine et imitacone

ubi m iusti

inferiores et subiecti sunt vitio
si Iux° i° Eccli sto iudex sapiens
iudicabit pplm suu et principa
tus sensati stabilis erit scdm
iudice ppli sic et ministri eius
qualis est rector civitatis tales
et inhabitantes in ea Et eccles
sto beata terra cuius rex est nobi
lis et cuius principes vescunt i
tpe suo ad reficiendu et no
ad luxuriandu Est igr superiori
bus et rectoribus iudicibus necia e
iusticia et p se ut bene vivat
et p alios ut bn regat et ut bn
vivendo et regendo ad iusticia
multos erudiat exhorteat et
dirigant et ab oim iniusticia
et iniquitate compescat Vnd
quibus tre bn psidente alios et
spualibus et tpalibus d' aplus
Ad ro xiij Non sine causa
gladiu portat dei eni minister e
vindex in ira ei qui malu
egit Vbi p gladiu intelligitur
ptas iudiciaria principu et
platoru et aliorum ptati Qui
portare debet gladiu tripli
cem Primo gladiu adversionis
ad vindicta malefactorum Scdo
gladiu protectionis ad laude bonorum
Et de hoc duplici gladio habet
prima petri 2° Vbi sanctus pe
trus dicit nos debere subiec
tos regi ee q pcellenti sive
ducibus tanq a deo missis ad
vindicta malefactorum laudem
vo benefactorum Tercio ptas dnt gla
diu equitatis et iusticie i dis
cussione et determinacone iudi
ciorum In quibus eni omia trea
debet p ordis deus ut scdm le
ges dine iusticie iuste et qd
iustu est iudicet sine psonarum
acceptioe et munerum cupidine

20

30

Vnde Levi° xix° Timebis dnm
deu tuum no facias qd iniquu
est nec iniuste iudicabis ne con
sideres psona pauperis nec honores
vultu potentis iuste iudica proxi
mo Et deut° xvi Iudices et
magistros constitues in omnibus
portibus tuis quas dns dedit
tibi p singulas tribus tuas ut iu
dicet pplm iusto iudicio nec
in alteram ptem declinet nec
accipies psona nec muna ex
cecat oculos sapientu et mutat
verba iustorum Iuste qd iustu
est psequeris Et exo xviij dicit
e moysi provide de omi pplo vi
ros potentes et timentes deu
in quibus sit veritas et qui
oderint avariciam et constitue
ex eis tribunos et centuriones
et quinquagenarios et decanos
qui iudicent pplm omi tpe Ecce
quales esse debent principes
et plati et omes aliorum iudi
ces et i sublimitate constituti
Debent eni deu ee timentes
veritate in corde et i ore et in
ope habentes iuste iudicantes
psonas no accipientes ita ut
nec vultu potentis honorent
nec psona pauperis ut vilem
et abiecta considerent avariciam
odientes et muna no accipi
entes Sed quis est hic et lau
dabimus eu si inq respicimus
ad istu statu no dico quo ad illos
qui foris sunt cuiusmodi sunt infi
deles s3 iudei et pagani Quid
eni michi de hijs qui foris
sunt iudicare ut dicit aplus p°
Cor v° Sed quid ad illos qui
intus sunt in ecclia qui in nomine
xpianos psitentur in ecclesia inig
tate et condicione i iuni ut de

Vide x qlit dixit

In psalmo lv. Die ac nocte
circumdabit eam super muros eius
iniquitas. Numquid isti qui sunt in
principes et prelati et rectores
populi, qui muri deberent esse
huius civitatis, sed etiam ad muni-
endum se in arcu suum querunt
sunt ad destruendum, ita ut propter
eorum iniquitatem et maliciam sit
in medio sue civitatis, hoc est
in communi plebe, labor et iniu-
sticia. Unde Jeremie xxiii dicit
dominus per prophetam: Veniunt tui co-
ram oculis meis, superveniunt structores
tui, destruentes te et
dissipantes a te recedant. Et
Ysaie capitulo lix: Conversum est retror-
sum iudicium, et iusticia longe
stetit, quia corruit veritas in pla-
teis, et equitas non potuit
ingredi. Et quia talis non, quia sicut idem
primo capitulo dicit: Omnes diligunt mu-
nera, sequuntur retribuciones. Et
sicut alius propheta dicit: A maio-
re quippe usque ad minorem
omnes avaricie student. Jeremie vi et octavo
capitulis, et in psalmo lv: Non defe-
cit de plateis eius usura et dolus.
Quod dicit secundum Augustinum et glossam super
eundem locum psalmi: usura et dolus,
quorum utrumque lex prohibet; quia
mala sunt, non absconderentur, sed pu-
blice fiunt. Et revera hec malam
in christiano populo a deo committeretur.
Et si maluerunt ut ex nimia
eorum assiduacione et multiplicacione
iusta et licita a multis reputantur.
Et qui usuram et dolum dicere
manifeste non audent esse licita,
multiplicia sunt ea colorant, prout
in variis apparet contractibus
quos sub titulo licite ac iuste
empcionis et vendicionis confingunt
ad excusandas excusaciones
in peccatis, ut dicit in psalmo cxl.
Omnes igitur tales ab errore
et iniquitate ad viam veritatis et
iusticie reducere volens omnium vir-
tutum integra sapiencia hanc in sui
exordio salutarem ponit doctri-
nam: Diligite iusticiam etc. Per
doctrine aliqualem instructionem quantum
ad presens pertinet oblivionis inter-
dicabilibus et pluribus eius ad speciem
unam particularis iusticie que in rerum
commutacionibus observari debet, que
et iusticia commutativa nominatur, de-
scendamus, et de quibusdam
contractibus qui inter homines usitati
et currentibus in quibus latet
dubia, eciam apud sapientes
et multo doctorum peritorum videamus
investigando, ut possimus quod
secundum veram sapienciam sit diligenter
sequendum et quid in eis sit ob-
servandum, quid ne fugiendum aut
vitandum. Sed quia ut dicit apostolus
Corinthiorum 2o: Non sumus sufficientes
aliquid cogitare a nobis quasi
ex nobis, sed sufficiencia nostra
ex deo est, ideo primo invocan-
dum rerum preteritarum et futurarum omnium
deum, sine quo nullum rite fundatur
exordium, ut a tenebris errorum
et sordibus viciorum corda nostra
demens expurget, et radiis sue
lucis illustret, et ad omnem nobis
in hac vita et in alia eterna salutem
respicientibus utile aut intentionem
inoffenditer dirigat, et perducat
veritatem, fiducia autem talem
habemus per Christum Jesum ad deum,
quia si quis fideliter pecierit divine
gracie dona sequuntur. Unde et apostolus
Jacobus in primo capitulo epistole sue dicebat:
Si quis autem vestrum indiget sapiencia,
postulet a deo, qui dat omnibus
affluenter et non improperat, et dabitur
ei. Orantes igitur et a deo sapienciam
postulantes, dicamus omnes et
singuli unus et omnes et unus, quia
enim unum sumus in Christo, dicamus
itaque: Da mihi domine sedium tuarum as-
sistricem sapienciam, mitte illam de celis
sanctis tuis, et a sede magnitudinis
tue, ut mecum sit et mecum laboret,
et sciam quid acceptum sit apud
te. Sapiencie ix capitulo. De divino igitur
dispositio adiutorio, quod presto est omnibus
pie deum invocantibus, iuxta illud
psalmi: Prope est dominus omnibus invocanti-
bus eum, hunc ordinem servemus,
ut secundum congrue procedi nobis innata
a communibus ad propria procedamus.
Et ut clarior sit processus, totum trac-
tatum de contractibus hic pertrac-
tando principue quo ad partem illam
que est de redditibus, in tres partes
dividamus, quibus non capitulis in varias
questiones et responsiones ad illa sub-
dividendo questionum titulos per
ordinem premittendo, ut si quis totum
tractatum perlegere voluerit eligat
ex titulis quos non per ad perlegendum
sibi magis fuerint utilia. Sic igitur
hec debet mirum videri cuiquam
si in causis dicta quibus quomodo dubia
querit sciri proponuntur, quia prima facie
in quibusdam dubium non videtur apud
omnes manifestum et indubitatum esse,
secundum communis quia illud quod queritur
in se quo ad subiectum questionis sit plu-
ribus et omnibus notum, tamen propter
varios modos circa idem questionum
incidentes quo ad plures circum-
stancias et condiciones personarum
et negociorum in ipso sepe solet
magna latitare dubia. Unde
ille peritus moralis Katho dicebat:
Est flumen est placitum forsitan latet
altior unda. Et sic solet certa
varia in quorum solucionibus in-
veniri possunt doctrine multum
utiles atque salubres. Sed quamvis
omnibus notum sit deum esse, magistri
tamen doctores theologi movent
istam questionem utrum deus sit, ad
ad aperiendum sentencias que
de deo sunt, et ad ostendendum
seu docendum vias claras quibus
usitate arguitur, que sunt pertinent con-
veritate que de deo est theologice
et philosophice obviandi etc.

Questio prima est ista: utrum
constitui redditus pecuniarum
vel aliarum rerum scilicet pannorum
vini vel huiusmodi in re aliqua vel persona
licitum sit et expediens in repu-
blica. Et primo tres conclusiones hic.
Constituere redditus pecuniarum vel
aliarum rerum scilicet pannorum, vini et huiusmodi
in re aut persona vel universitate
vel communitate licitum est et expe-
diens in republica, dummodo hoc
fiat intencione recta et ex racio-
nali causa cum discrecione de-
bita et equitate. Probatur: constituens
cum debita discrecione et equi-
tate redditum in re aut persona ea
intencione et ob hanc causam,
ut de illis redditibus sustententur
illi qui aliis presunt in spiritualibus
et eciam illi qui presunt in civitatibus
et temporalibus, atque eciam ut inde sustente-
tur pauperes et infirmi et
servi dei in religionibus et
pro divino cultu vacantes quod
minus et prioribus adiuvantur, certe
de ecclesia ad consequendum
a deo benediccionem et multiplicacionem
tam in spiritualibus quam in temporalibus
et ut eciam ex hiis redditibus

de spiritualibus

fundent hospitalia fiderentur
ecclesie, altaria, monasteria et
alia ad divinum cultum pertinentia
impendantur, quam pro munitione ac
defensione et bono statu civitatis
alicuius aut ville aut patrie licitum
est et expediens in republica.
Igitur conclusio vera quia de se nota est. Sed
ante probatur prima parte que est de hiis
qui alios presunt in spiritualibus probatur
auctoritate sacre scripture utriusque scilicet
novi et veteris testamenti. Nam
lex divina testamenti veteris con-
stituit sacerdotibus sacrificia domini
et oblaciones eius et primicias vi-
ni, frumenti et olei et que secundum legem
populus afferre debuit domino, de quibus
erant decime et primicie et quicquid
est in muneribus de quibus habetur
Deut. 12 et 18 et in aliis locis.
Constat etiam hoc ex novo te-
stamento. Ita secundum apostolum 1 Thimo.
v. Qui bene presunt presbiteri duplici
honore digni habeantur, maxime
qui laborant in verbo et doctrina
dei, ubi glossa: Qui bene presunt presbiteri
vita et doctrina digna habeant
a subditis duplici honore,
ut scilicet spiritualiter eis obediant et
potiora ministrent. Et hanc sententiam
suam probat apostolus per auctoritatem
veteris legis dicens: non alligabis
os bovi triturantis, que ponitur
Deutro. 25 sub hiis verbis: Non
alligabis os bovis terentis in area
fruges tuas. Eandem auctoritatem
etiam allegat Apostolus prima Cor. ix.
et eam exponit ita ut per bovem
intelligat predicatorem verbi dei et
quemque qui aliis in spiritualibus prest
et fideliter laborat in agro et area
domini. Cui debet ab illis quibus
laborat in necessaria vite temporalis mi-
nistrari. Et 1 Thimo. 4to allegat
scriptura novi testamenti que
dicit: dignus est mercenarius

mercede sua, Luc. x. et Matheo
x. Dignus est operarius cibo suo.
Patet igitur ex hiis scripturis veteris
et novi testamenti quod in republica
providendum est in temporalibus et exteri-
oribus vite necessariis hiis qui aliis
presunt in spiritualibus. Sed hoc congruenter
et apte fieri potest per hoc modo quod ad eorum
provisionem constituantur redditus. Eo modo
quo in conclusione ad quorum confirmacionem
dicitur quod tales constituere redditus lici-
tum est et expediens in republica.
Et per hoc racione, nam racio dictat ut
illis qui ceteris presunt in hiis que
ad deum pertinent ita provideatur
de necessariis vite, ut ab exterioribus
et corporalibus laboribus et cu-
ris supportati liberius vacare
et intendere possint exercicio
et laboribus spiritualibus, qui multo
nobiliores sunt et fructuosiores
et ad vere felicitatis consecucionem magis
necessaria quam labores corpor-
ales. Sed talis provisio congrue potest fieri
per redditus, prout etiam dictum est.
Hanc racionem tangit Apostolus prima Cor.
ix. dicens: Si nos vobis spiritua-
lia seminavimus, non magnum est si
nos carnalia vestra metamus.
Hac racione etiam sacerdotes veteris
legis veteris legis nichil acci-
piebant de possessione fratrum
suorum, ut habetur Deutr. xviii. Quia
dominus erat eorum hereditas, ita
quod ea que in lege domini constituta erat
ut offerrent domino sacerdotes acci-
perent et de ipsis viverent atque
ita liberius divino cultui sine
exterioribus occupacionibus
et laboribus vacarent. Et ob
hoc etiam Deutr. xii. districte
precipiendo dicitur populo: Cave ne de-
relinquas Levitam in omni tempore
quo versaris in terra. Et ita
patet prima pars de hiis qui aliis presunt

in temporalibus, cuiusmodi sunt reges, du-
ces, principes, milites, iudices et
ceteri rectores populi ac reipubli-
ce gubernatores. Probatur. Nam racionale
et iustum est illis constitui vel
dari redditum, censum vel tribu-
tum unde vivant, qui bene presunt in tempora-
libus et civilibus, qui pro defen-
sione terre militant et eam ab ho-
stibus et latronibus defendunt,
qui pacem, iusticiam et veritatem
inter homines procurant et conservant,
sub quibus alii tranquillam vitam
agunt. Hec namque dum bene presunt dei
ministri sunt, ut Apostolus dicit Ad Ro. 13,
quibus et tributa dicit esse prestan-
da. Et Christus dum interrogatus
an liceret censum dari cesari
respondit: Reddite que sunt cesaris
cesari et que sunt dei deo, Mt.
xxii. Et beatus Johannes baptista
ad milites dicebat: contenti esto-
te stipendiis vestris etc. Tercia pars
autem de pauperibus et infirmis
sustentandis et hospitalibus
fundandis patet, quia per hoc patet ad opera
misericordie, de quibus Luc. vi.: Estote
misericordes etc. Et illud: Date et
dabitur vobis, et Luc. xi.: Date ele-
mosinam et ecce omnia munda
sunt vobis etc. Quarta pars autem
de servis dei in religionibus et
extra divino cultui et oracioni va-
cantibus patet ex probacione prime
parte, cum tales servi dei presunt aliis
in spiritualibus, et si non omnes in admi-
nistracione sacramentorum ut predi-
cacione aut huiusmodi exercicio
vel operacione, omnes tamen presunt et
presunt vite merito et oracione. Et Quinta
pars autem de fundacione ecclesiarum
et monasteriorum probatur. Nam lex divina
utriusque testamenti novi scilicet et

veteris data est ad ordinandum
homines in deum non solum per interi-
ores actus mentis, sed etiam per
quedam exteriora opera quibus
homo suam servitutem et divinam hono-
rificenciam debet profiteri. Et talia
autem opera ad divinum cultum
pertinent deo sollempniter exhibenda
in ecclesiis et templis ad hoc
constructis, adhibitis illis quibus
dei ministri ad hoc specialiter
deputati et ordinati utuntur
tamquam instrumentis, cuiusmodi sunt
sacra vasa, vestes
sacre et similia, et talia in lege
veteri vocabantur sacra. Sed expedi-
ens est, immo debitum et necessarium
in republica talia procurari et
fundari, quod valde convenienter
fieri potest cum pro talibus constituendi
sunt quidem redditus instituti. Et Sex-
ta pars autem que est de munitione
et defensione et bono statu
civitatis seu civitatis ville aut patrie
patet per hoc quod talis munitio, defen-
sio et bona ordinacio deserviunt
ad pacem, in qua pro magna parte
consistit felicitas politica. Unde
Aug. xix. de ci. dei c. 11. Tantum
est pacis bonum ut etiam in rebus
terrenis atque mortalibus nichil
gracius soleat audiri, nichil desi-
derabilius concupisci, nichil postremo
possit melius inveniri. Et in eodem
c. xii. Sicut nemo est qui gau-
dere nolit, ita nemo est qui pacem
habere nolit. Cum quidem etiam ipsi
qui bella volunt nichil aliud
quam vincere volunt. Ad gloriosam ergo
pacem cupiunt bellando pervenire.
Nam quid est aliud victoria
quam subiectio repugnancium, quod ad
factum fuerit, pax erit. Pacis ergo
intencione bella geruntur. Hec ibi.

2a de personis in temporalibus

3a de pauperibus

4ta de religiosis

5ta de fundatione ecclesiarum

6ta de munitione civitatis

Et ibidem ca° xviii. distinguit de multiplici pace / et in ca° ii et in sequentibus usque ad vicesimum inclusive eandem materiam prosequitur de qua prosecutione ad presens supersedeo causa brevitatis. Dixi aut in quo genere quod huiusmodi redditus constitui possunt in re constitui namque possunt licite et iuste in rebus quarum usus non est earum consumptio vel dissipacio / sive res ille sit inmobiles / ut agri vinee domus aut similia / sive sit mobiles ut equus vacca / ovis / et similia. Possunt etiam constitui redditus certi precii quod solvat annuatim sed ut communiter libere ut aliquis huiusmodi vult mittere puta quod solvat annuatim quartam partem fructuum / vel quintam / vel aliquid tale de hiis que proveniunt de domibus ut agris vel vineis vel ortis etc. Sicut Joseph in Egypto constituit septimam partem fructuum terre Egypti dandam esse regi ut habetur Gen. 40. Dixi etiam aut personam aliquam. Sed hic vertitur in dubium dicentes quod redditus constitui non possunt in persona / puta quod persona obliget ad solvendum redditus aliquos non ferendo ad rem aliam certam / de qua redditus haberi possunt. Et racio redditur quia in tali obligacione non res / sed persona libera obligatur / que obligari vel impignorari non potest. Probatur persona libera potest in servitute redigi et in obsidem poni / igitur persona libera potest obligari vel impignorari / maior / cum redactio in servitute magna sit obligatio / et obsidis posicio vera sit impignoracio. Antecedens manifestum est ex scripturis sacre

utriusque testamenti novi et veteris ex glosis autenticis et pluribus doctorum / scilicet Augustini / et aliorum dictis atque etiam ex legibus humanis / que omnia ita manifesta sunt quod non est opus ea singillatim ac distincte allegare. Item quamvis servitus illa despotica dura et abiecta de qua loquitur philosophus et leges divine et humane non sit de lege nature secundum primevam hominis conditionem non tamen semper est iniusta post hominis lapsum et prevaricatione. Racio sic patet per Augustinum xix de civitate dei ca° xv. Deus ita hominem condidit quod ipsum rationalem factum ad ymaginem suam voluit non irracionabilibus dominari non hominem homini sed hominem pecori. Unde nusquam scripturarum legimus servum antequam hoc vocabulo Noe iustus peccatum filii vindicaret. Nomen itaque istud culpa meruit non natura. Et post quedam subdit Augustinus. Prima ergo servitutis causa peccatum est ut homo homini conditionis vinculo subderetur quod non fit nisi deo iudicante apud quem non est iniquitas et novit diversas penas distribuere meritis delinquencium. Secundo hoc patet quia persona que libera est potest illiberari et in servitutem redigi merito peccati proprii vel alieni iusto dei iudicio qui novit diversas penas distribuere meritis delinquencium ita Canaam cum tota posteritate sua merito peccati patris sui Cham addictus est servituti. Sic etiam tamen si quis bonus princeps vel quicumque iuste dominans quantumcumque videret aliquem ita viciosum quod libertas eius nociva esset reipublice posset eum iuste punire pena servitutis. Sic est in certis casibus posset eum iuste occidere propter bonum

reipublice etc. Item persona libera seipsam potest voluntarie vendere et pro precio servituti se subicere ut apparet Exodi xxi et Deuteronomii xv. Item persona que libera est potest capi in bello et iure belli in servitutem redegi. Unde Augustinus xix de civitate dei c. xv. Origo vocabuli servorum in latina lingua inde credita quod hii qui iure belli possent occidi et a victoribus observabantur servi fiebant a servando appellati etc. Ad hoc ad propositum nostrum sicut quis habens servum servitute dispotica / de qua nunc dictum est habet in eo servitutes personales et habet in eo redditum constitutum in persona / sicut tamen cum servitus personalis quam dominus habet in servo sit ius percipiendi operas que alia emolimenta provenientia de persona servi que etiam estimari et mensurari possunt per pecuniam / similiter etiam est ne redditus in persona. Item homines liberi servum loco servicii et operarum possunt etiam servo constituere in eo constituere redditum vel censum annuum certe quantitatis pecuniarum quam quidem quantum ille de labore et industria personali quere dare possit etc. Item homo quicumque libere ad tempus vel ad vitam suam totam saltem quamdiu de suo labore vel industria vel ultra sua necessitate tantum vel tanto poterit residuare obligare potest seipsum ad hoc quod absolvat alicui homini vel monasterio alicui vel ecclesie aut capelle vel hospitali etc. annuatim aliquam certam summam pecunie puta libram unam vel incertam puta quartam vel quintam partem vel consimilem eius quod ex suo personali labore artificio et

industria omni anno acquisierit. Licet aut est ipsum constituere censum vel redditum in persona sua. Dixi aut hoc licite aliquis facere posset. Utrum ea liceat / hic vertitur in dubium. Dixi etiam constitui posse redditus in universitate seu communitate. Constitui namque possunt redditus in universitate seu communitate hominum alicuius civitatis / ut ville vel imbi presidentium scilicet consulibus seu rectoribus propter vel in aliqua universitate seu communitate religiosorum aliquorum monasterii vel canonicorum alicuius collegii et ita de consimilibus et in qualibet tali universitate seu communitate constitui possunt redditus eodem modo quo constitui possunt in domo vel agro etc. Est namque universitas seu communitas tamquam res immobilis et quodammodo perpetua. Et si non quo ad presenciam hominum durationem tamen quantum ad continuam successionem sicut dicitur flumen unum propter eandem manere propter aquarum in eodem alveo sibi invicem succedencium continuationem. Et sicut per destructionem domus per incendium vel aliunde aut agri per alluvionem et ita de consimilibus diminuitur aut omnino perit redditus in aliquo tali constitutus ita etiam per destructionem aut depauperationem alicuius universitatis per translacionem vel fugam vel mortem naturalem vel violentam hominum vel aliunde diminui potest vel omnino perire census vel redditus in universitate vel communitate constitutus etc. Dixi etiam in quo genere quod huiusmodi redditum constitucio fieri debet cum discretione et equitate ita videlicet ut distincte cum equitatis libramine respectum habeat ad rem vel personam in qua

d^r quare usque hic
d^r aut p^na
d^r in universitate
d^r cum discretione

con

v^r h^i ... condicio

redditus constituunt ut scilicet si con-
stituunt in re aliqua ipsa res sit
talis quod habeat usum utile pro suo co-
suptionem aut dissipacionem et ut non
oneret ultra hoc quod rationis et honestas
ferre potest aut etiam expensis pro conser-
uacione rei et deductione ipsius
ad fructum necessariis Si vero non consti-
tuunt in persona ipsa persona sit
talis quod sit potens et ydonea
ad soluendum de suo labore
vel industria tales redditus
sine defectu necessario vite proprie
et sine detrimento rationis et congrui
status sui. Respectus etiam haberi
debet ad illos qui tales redditus
percipere debent et de eis sustentari
ut scilicet sint tales quod possint prodesse
aliis in spiritualibus vel temporalibus aut
sint pauperes vel infirmi aut
vacantes diuino cultui et ita
de ceteris de quibus supra habitum
est in prima questione. Ad aliud dicendum
rursus et utilitatem constitui debent
redditus pro hominibus qui sunt fortes
ad laborandum et acquirendum vic-
tum suum de laboribus suis nec
impediti sunt vel occupati per
aliquod officium aut ministerium in
cultu diuino aut in republica
aut aliorum seu profectu spirituali
vel temporali. Pro talibus enim con-
stitutio redditus est facere ociosos
homines ad labores aptos
et totaliter non impeditos nec
aliunde occupatos viuere vel
fructum percipere de laboribus
fidelium laboratorum qui portant
pondus diei et estus atque eos
ad penuriam producere quod est
directe contra precepta de dilectione
proximi. Et sic ex multiplicatione
redditum pro talibus multum deperit

reipublice quia tunc omnes qui
possunt et debent laborare corpora-
liter sustentant de redditibus ociosi
non possunt agri vinee et cetere culture
prouenire fructus tantum sufficienter colitur
si etiam illi cum aliis laborarent
et ita multum deperit de fertilitate
terre et arborum. Et sic etiam
de fructibus animalium pascendorum
et etiam domorum edificandarum
etc. de multis similibus et cetera haec
que peperit caristia in rebus
naturalibus et etiam artificialibus
pro humana sustentacione cogeneris.
Et terre fertiles multum quia apte
habitacionibus hominum steriles
redduntur et in solitudinem rediguntur
ita ut vbi esse debet habitacio homi-
num de suis domibus et turribus
laudatum fiat habitacio besti-
arum siluestrium scilicet et draconum et
ita supueniet terre xpianorum
omnibus babiloniam de quo Ysaias
xiii. nouissime esse prophetatum. Pro-
gressus quod in huiusmodi constitucione
redditum magna discrecione
opus est sine qua nec etiam deo
aliquod sacrificium est acceptum quod
bene figuratum est et per dominum Leuitici 2°.
Quicquid obtuleris sacrificii sale
condies vbi salis nomine discrecio
in omni opere humana designatur.
Et etiam attendere apostolus ad Ro-
12. Propter quod dixit obsecro vos fratres vt exhibeatis cor-
pora vestra hostiam viuentem
sanctam deo placentem. Statim sub-
iungit racionale obsequium vestrum.
Manifestum est autem quod non est facere
deo racionabile obsequium facere homines
ociosos et inutiles in aliorum
et tocius reipublice grauem iacturam
et magnum preiudicium.

Secunda questio est ista vtrum
redditus pecuniarum vel
aliarum rerum scilicet bladi

vini etc. racionabiliter constitutos in re aliqua
aut persona aliquis emere possit
licite pro pecunia. Pro parte negativa
istius dubii precipue quo ad empcionem
redditum pecuniarum pro pecunia
scilicet percipere videtur esse intencio docto-
ris solempnis magistri henrici de
gandauo 8° quolibet questione 14 vbi dicit
quod pecunia est tale quid in quod
per se non cadit empcio et vendi-
cio vel commutacio sed est medium vtrius-
que et ideo vbicumque et quandocumque tra-
ditur pecunia in contractu tamquam commu-
nicatur et non tamquam medium empcionis
et vendicionis mutuo traditur
pecunia in contractu tamquam com-
municatur et non tamquam medium empcionis
et vendicionis mutuo traditur. Ideo
spes accipiendi aliquid pro huiusmodi
pecunie tradicione vsura est. Di-
cit enim pecunia nuda datur et nulla
empcio vel vendicio interueniat
sed ut tantum accipiat post
lapsum temporis et aliquid amplius
sine pro certo ad quam singulis an-
nis recipiat intencione plus
recipiendi sorte vel per se quo
ad vitam vel per se et heredes
sive successores suos ad vitam
plurium aut ad perpetuum procul
dubio non video quod sit vsura.
Idem enim in aliquo dicit emere
tales redditus ad vitam quam ad
perpetuum quam ad vitam nec in veri-
tate est empcio licet sic so-
leat appellari ut palliet
vicium quia commutacio huius tracta-
tus sunt pecunia sunt data et
pecunia per certas recipienda sicut
est pure mutuum. Hec ille doctor.
Et contrarium tamen illius tenet
doctor scilicet magister Godfredus

de fontibus in 10 quolibet suo questione
xiii. Et vbi aut clarius elu-
cescat veritas in hac parte pre-
sciendum quod secundum iura rerum que
venire consueuerunt in contractu
empcionis et vendicionis quedam
sunt corporales ut domus predium
equus bladum vinum et huiusmodi
de quibus manifestum est quod
pro pecunia emi vel vendi possunt.
Alie vero sunt res incorporales
seu spirituales ut sunt ius here-
ditarium et ius agendi ad rem
hereditariam vel ad certam
pecuniam vel ad rem aliam et
seruitutes tam personales quam
reales et huiusmodi consimilia
que omnia etiam licite vendi
et emi possunt. Et secundum iura aliud
est ius hereditarium et aliud
est res hereditaria. Et ius here-
ditarium quoddam incorruptibile
seu spirituale est quod competit
heredi et dicit potestatem qua
heres habet ius ad iuste possi-
dendum aut vendicandum sibi
rem hereditariam. Res vero here-
ditaria est res corporalis que
debet heredi propter tale ius.
Aliud etiam est ius agendi
ad certam pecuniam vel rem aliam
et aliud est pecunia vel res ad
quam alicui competit accio. Aliud
est etiam seruitus personalis vel
realis. Aliud fructus inde pro-
ueniens. Sic in proposito aliud
est redditus pecuniarum siue rerum
aliarum corporalium. Aliud vero sunt
pecunie siue res corporales
quarum est redditus. Nam redditus
est ius quoddam percipiendi pecunias
vel alias res et tale ius est
incorporale seu spirituale aliud
ab ipsa re corporali que tali

iure percipit. Ex hoc sequitur quod sicut
ius agendi ad certam pecunie
quantitatem vendi et emi potest
licet ius agendi ad certam quantitatem
pecunie non emat nisi propter
ipsam pecuniam tamen quod non est for-
maliter ipsa pecunia sed tamen in
virtute solo potest emi ius ipsum.
Ita etiam in proposito licet ius per-
cipiendi pecuniam non contrahatur
nisi per ipsam pecuniam quod tamen est
aliquid aliud ab ipsa pecunia ven-
di potest et emi cum quo tamen transit
pecunia recipienda etc. Item notandum
quod in huiusmodi contractu non debet
emere redditus pecuniarum vel
rerum aliarum mobilium quecumque
quod redditus pecuniarum vel aliarum
rerum mobilium que cadunt sub
reddituum vel reddituum non videtur
differre specie vel essentialiter et formaliter
sed solum materialiter. Nam cum ex triti-
co vel alia re possit statim
haberi pecunia non debet redditus
huius et alterius etc. Sicut cum emitur
redditus de aliquo tritici non dicitur
emi triticum secundum suam substantiam
quod non dicitur est in rerum natura
sed emitur ius percipiendi triticum.
Ita etiam cum emitur redditus
pecunie non emitur ipsa pecunia
saltem formaliter sed ius percipi-
endi ipsam. Item est tamen quod emitur
pecunia aliquo modo in virtute
nec hoc est illicitum. Sicut enim emitur
fundus terre et emitur pe-
cunia in virtute cum ex eo statim
possit haberi pecunia. Secundum iu-
ristas omnes res pecunia appre-
ciabiles sunt in pecunia convertibiles
tamen per quod pretio totum quod habetur
pecunia esse et est dictum supra.
Ideo eadem ratione est ius percipi-
endi pecuniam et aliarum rerum
que pecunia estimantur et in hoc

contractu pecunia non est communiter
empcionis species sed ipsum ius per-
cipiendi pecuniam modo predicto. Sicut
etiam qui emit servitium personale
vel reale non emit formaliter
fructum inde provenientem sed eius
ius percipiendi illum fructum etc. Ex
hiis patet conclusio ad istud
dubium videlicet quod licite potest quis
emere et vendere pecuniam red-
ditus pecuniarum vel rerum aliarum
certas hoc est secundum certam
quantitatem limitatam perpetuo vel ad vitam etc.
vel incertas puta certam vel quantam
partem vel aliquid certe fructuum
provenientium de domo vel agro etc.
vel de laboribus hominum vel hominis
seu persone vel personarum constitu-
tos in bonis certis vel in domo
vel mensura terre cuius aliqua pars
sufficiat ad proventum talium reddi-
tuum non tamen certa pars et signata
deputatur pro reddi[ti]bus illis sed
indistincte una pars totius mensure
sufficit ad hoc sufficientes quecumque
sit illa et hoc modo etiam consti-
tui possunt redditus pecuniarum in
aliqua parte non signata omnium
bonorum alicuius hominis vel monasterii
etc. aut in persona certa vel personis
certis nominatim designatis vel
personis incertis que ad individuum
dualem designantur vel qui con-
stituunt redditus in aliqua uni-
versitate seu communitate hominum
civitatis vel ville etc. Dummodo
hoc fiat sine fraude et fiat
intuitu recto etc. Quia causa sic
licitum est contractum emere vel vendere
ius percipiendi pecuniam vel alias
res tamquam usui congruas
secundum quod sunt certa vel incerta
in bonis aut persona vel personis
certis vel incertis iniusta modo

expressum constitutum. Secundo notandum
tamen quod quedam patet ex premis-
sis. Item probari potest secundo ex dictis
doctoris opposite sententie
scilicet magistri Henrici de Gandavo.
Nam ipse concedit quod si aliquis emit
pro iusto pretio seu iusta pecunia
fundum vel mensuratam terre. Et
deinde talem fundum vel terre
mensuram vendit pro aliqua
quantitate pecunie annuatim vel ad
vitam vel ad perpetuum solvenda.
Sed si aliquis huiusmodi fundum vel
mensuram terre dedit vel dat
eam vel eam quo ad proprietatem
communitati alicuius civitatis vel domui
religiosorum pro certa quantitate pecunie
annuatim in perpetuum reddenda
reservando sibi pro usu illos redditus
in utroque istorum casuum si huiusmodi tales
redditus velit eos vendere licitum
est alteri quod emat eos etc. Ex hiis
arguitur pro conclusione nostra probanda sic.
Aliquis licite potest emere pro pecunia
redditus pecuniarum annuatim vel
ad vitam vel perpetue ab illo qui
habet tales redditus ex hoc quia
fundum suum pro talibus redditibus ven-
didit alicui homini vel alicui com-
munitati vel domui religiosorum vel
quod alicui tali dedit fundum suum
quo ad proprietatem reservando etc.
Sibi pro usu illos redditus igitur ille eos
emere potest pro pecunia tales redditus
pecuniarum ab illo qui solvit
redditus illos de fundo quem emit
vel a civitate vel a communitate cui
donatus est fundus ille quo
ad proprietatem reservatis redditibus
illis pro usu donantis ante est illius
doctoris in summa seu virtute.
Consequentia probatur quod nulla est in hoc differentia
realis quo ad speciem talium con-
tractuum nisi quod in uno immediate
vendit homo vel communitas quod suum

est in alio hoc idem vendit alter
qui hoc habuit ab alio homine
vel ab alia communitate sed talis differentia
nichil ad hoc facit quod contractus
ex una parte sit licitus et non ex
alia. Item aliquis potest alteri dare red-
ditus pecuniarum ad vitam vel perpe-
tue et ille cui huiusmodi reddi-
tus pecuniarum dantur potest licite
eos vendere pro pecunia ut etiam
concedunt illi de opinione opposita
igitur etiam ille dans huiusmodi
redditus alteri antequam eos daret
sibi poterat eos vendere pro
pecunia consequentia patet quia quod ille
qui habet huiusmodi redditus
formaliter in ius percipiendi tan-
tum pecuniam ex donatione illos
possit vendere et non ille qui
illos habet virtuale sive causaliter
et equaliter vel magis in sua potestate
videtur esse irrationabile etc. Confirmatur tale ius
percipiendi pecuniam constitutum
est ipsi donatario a donante
igitur sicut iste dicit ita etiam
pro certa summa pecunie poterat ei
vendere consequentia patet quia secundum
regulam iuris Cuius est ius dan-
di eius et est ius vendendi etc.
Ex dictis patet quid sit dicendum ad
racionem partis opposite qua dicitur
quod pecunia est tale quid in quod
per se non cadit empcio et ven-
dicio vel communiter etc. Nam sicut apparet
ex dictis in tali contractu de quo
hic agitur non emitur pecunia for-
maliter quamvis ematur in virtute nec hoc
est illicitum ut predictum est sed
emitur formaliter ius predictum
scilicet percipiendi pecuniam nec e-
mens accipit aliquid ultra sortem
quia quicquid accipit ex tali
iure cedit in sortem suam etc.
Forte quereris quid et que res
est tale ius realiter quod est pars iuste

percipiendi pecuniam secundum modum
illius tractatus et hoc modis ita
licite aliquis potest emere ius tran-
seundi vel equitandi per fundum
alterius vel ius figendi palas
in muro alterius et ita de similibus

dr̄ sine fraude

Dixi autem dummodo hoc fiat sine
fraude Unde secundum apostolum i
Thess. 4to Ne quis circumveniat fratrem
suum in negocio quoniam vindex est dominus de hiis omnibus. Hoc sit
malum lex divina utriusque testa-
menti scripta percipiens caritatem naturalis
nos edocet nec et lex nature hoc
tacet iubens nullum debere
facere alteri quod sibi non vult fieri
Debet etiam in hoc tractatu esse
intencio recta et causa racionis atque
pia ut scilicet fiat ad provisorem eorum
de quibus supra dictum est in parte
dicti capituli ad augendum dei
cultum et proximorum inopiam sub-
levandam in quo duo complent
precepta dileccionis dei et proximi
in quibus tota lex pendet et prophete
Mt 22. Iterum est autem si hoc fiat
intencione ociose vivendi et causa
divicias congregandi non obstan-
te quod hoc fiat cum dampno et iac-
tura proximi dum scilicet pauper vergit
et dives vergit rogatus non vult
ei prestare mutuum sed vult emere
eius hereditatem vel redditus in
eius hereditate tunc eo ipso
quo ad emptorem redditur contractus
illicitus adeo quod tali emptori im-
peratur id Ve Ysaie v. Ve autem
pregnantibus et nutrientibus in
illis diebus prout seriose omnis
Augustinus super psalmos xxxix. Ubi
ultimo ubi notat quod pregnantes sunt
qui spe filiorum intumescunt nu-
trientes vero seu iam nati quod
iam adepti sunt quod concupierunt
pregnantes sunt qui res alienas
sperant et illi spectant nutrientes

non qui eciam ad illos pervenit
et eas adipiscendo tamquam filios
osculantur quibus dicitur Ve pregnan-
tibus etc. Et ponit ibidem Augustinus exemplum
de paupere qui vergit a creditore
et divites rogatus ab eo pro adiutorio
dicit non habeo in manibus sed si vellis
vendere hereditatem tuam bene
haberet unde emeret Et ondit per gradus
Augustinus quod hoc non debeat esse inter
christianos qui sperant futuram
vitam et si inter quos fuit curi-
gere se dum in hac vita quia
patitur hac vita non est locus cor-
reccionis Et ad hoc adducit exemplum
de divite epulatore de quo Luc.
xvi dicitur etc.

Tercia questio est illa an licitum
sit alicui emere pro pecunia
redditus pecuniarum vel
aliarum rerum humano usui convenientium
hereditarios seu perpetuos Et
quod sic dummodo non interveniat fraus
aut aliquid aliud quod viciet substanciam
contractus puta ut aliquis habet de fundo suo
vel de aliqua alia re redditus
pecuniarum vel rerum aliarum humano
usui convenientium hereditarios
et perpetuos et licet potest alteri
pro pecunia vendere in consimili
ad illud dubium fuit vero gracia
de se nota est et omnes dare potest
per roces in capitulo immediate
predicti questionis Item expedit quandoque
redditus tales constitui ad provisorem
illorum qui alios prosunt in spiritualibus
et eciam eorum qui prosunt in temporali-
bus regno et pauperibus prout
apparet in capitulo primo scilicet cum
redditus tales constituere eius est eos
eos alteri dare aut pro pecunia
vendere Item aliquis potest alteri
vendere fundum domum vel agrum
vel aliam rem de qua omnibus
laboribus et expensis deductis
habere potest redditus annuos perpetuos

vel aliarum rerum secundum statum quem
in eam potest alteri vendere redditus
tales seu ius percipiendi annuatim
perpetue item quantam pecuniarum vel
aliarum rerum retinendo quod proprietatem
illius rei de qua redditus tales
proveniunt Contra rationem ad contractum
ille empcionis et vendicionis re-
quirit equale inter datum et ac-
ceptum sed talis equalitas esse non
potest in illo contractu quia pro certa pecunie
summa emitur redditus pecuniarum
vel aliarum rerum perpetuus eo quod in
successu temporis incomparabiliter plus
proveniet de redditibus in valore quam
fuit valor summe illius pecunie
pro redditibus date igitur non equalitas
inter datum et acceptum seu inter
rem appreciabilem et precium eius
et per consequens contractus talis non
est contractus iuste empcionis vel
vendicionis igitur nec licitus etc. Pro
responsione ad racionem contrariam sciendum
est quod secundum Augustinum xi. de civitate dei
capitulo 16to res a deo facte possunt
dupliciter considerari et estimari Primo
secundum ordinem nature sue et hoc modo
preponuntur viventia non viventibus
et in hiis que vivunt preponunt
sencientia non sencientibus
sicut arboribus animalia et in hiis
que senciunt preponuntur intellige-
ncia non intelligentibus sicut homines
pecoribus Et in hiis que intelligunt
preponuntur inmortalia mortalibus
sicut angeli hominibus Secundo estimari
possunt res tales pro usibus earum
usu in quo quelibet earum nata
est venire et hoc modo sic ut quod
sensu careancia quibusdam senci-
entibus preponamus Quis enim non
domum suam prime quam mures in
mos quam pulices malit Sed
quid mirum cum in precio hominum

eciam estimacione quorum certe
natura tante est dignitatis plerum-
que carius comparetur equus quam servus
gemma quam famula Ex hoc sequitur
quod in contractus iuste empcionis
et vendicionis non requirit
equale inter datum et acceptum
considerando et estimando ea primo
modo scilicet secundum ordinem et gradus nature
sed secundo scilicet secundum estimacionem eorum quo
ad usum quia eorum in que veniunt
inter homines hoc eciam est sancti
Thome in 2a 2e questione 77
articulo 2o in responsione ad ultimum articulum
estimando hoc primo datum et ac-
ceptum scilicet secundum quod venit in usum
humanum Secundo dupliciter accipit inter
ea quantitas unde prout estimatur
secundum se quo ad usum in que venit
et equalitas venit et secundum hoc
in tractatu iuste empcionis
esse debet equalitas rei ad
rem ita ut quo ad quantitatem et
regularem usum tantum valeat res
quam dedit vendens quantum valet
res quam pro suo dato accipit
ab emente Et ideo est quod empcio
et vendicio videtur esse introducta
pro communi utilitate utriusque scilicet emen-
tis et vendentis dum unus
indiget rei alterius et econverso sicut
patet primo politice Quod autem pro com-
muni utilitate est introductum non debet
esse magis in gravamen unius quam
alterius et ideo oportet secundum equalitatem
rei ad rem inter eos contractus
constitui Quantitas autem rerum
que in usum hominis veniunt men-
suratur secundum precium datum ad quod
est inventum numisma ut dicitur
in vto ethicorum Et si precium excedat
quantitatem valoris rei vel econverso
res excedat precium nobiliter
tolleretur iusticie equalitas
Et ideo nobiliter carius vendere

aut vilius emere re qua vale-
at est illicitum et iniustum et hoc
considerando emptorem et vendi-
torem et datum et acceptum secundum
se quo ad usum in quem veniunt
inter homines communiter et equaliter
Illo modo accipit equalitas
inter datum et acceptum seu inter
rem et pretium eius secundum quod alie-
nacio rei pro eciam cedere potest in
vtilitatem vnius et decrementum
alterius puta cum aliquis indiget
multum hac rem aliquam et
alius leditur si ea careat et
in tali casu iustum pretium erit et
non solum respiciat ad rem que
venditur sed ad dampnum quod ven-
ditor ex vendicione incurrit
si non recompenset aliunde supra
precio et sic licite poterit aliquis
vendi plus quam valeat hinc
et sic fit quod vendicio quam considera-
ta re vendita secundum se esset
in detrimentum vendentis cedet
in vtilitatem vtriusque scilicet ementis
et vendentis dum omnes multum
iuuat re empta et vendens
etiam multum iuuatur precio nobile
adaucto Si non aliquis multum
iuuetur ex re alterius quam accipit
ille non qui vendidit non dampni-
ficetur carendo illa re non debet
eam supervendere quia vtilitas que
alteri accessit non est ex ven-
dicione nec ex parte vendentis
sed ex condicione ementis Nullus
autem debet vendere alteri quod non est
suum licet posset ei vendere dampnum
quod patitur Ille tamen qui ex re aliqua
alterius multum iuuatur potest propria
sponte aliquid vendenti super-
rogare quod pertinet ad eius honesta-
tem hec est sententia Sancti Thome 2a 2e
q. 77 ar. 1o Finaliter in conclusione ad

questionem dicendum hiis ulterius suppositis quod equa-
litas accidentalis est penes gradus
vtilitatis ad finem humanum con-
sequendum deseruientis et conpe-
dientis quam quidem vtilitatem homines
hec possunt vel habent ex eorum usu
Que res autem gradus quantificare debet
et estimari ex communi cursu
et consuetudine patrie et hoc
cum conseruetur datum et acceptum
seu res et pretium eius secundum se
et simpliciter quo ad communem et re-
gularem usum ipsorum Licet tamen oportet
etiam in eadem precia principue de-
terminari illam equalitatem con-
mensuracionem mathematicam
sed sufficit commensuracio moralis
et pollitica ita ut non sit excess-
sus notabilis seu in multo dif-
ficile namque est omnino pertingere
medium ut patet per Philosophum 2o
Ethicorum Sicut nec solum communiter datur sa-
gittarius qui tangit signum sed eciam
qui sagittat prope Tamen nec
datum et acceptum seu res
et pretium eius considerantur prout
alienacio rei pro eciam cedit ut
cedere potest in vtilitatem vnius
et decrementum alterius tunc e-
qualitas eorum scilicet rei et pretii
ipsius accipi potest secundum discretam
et racionalem estimacionem communiter hominum
vel alicuius boni viri vtriusque scilicet
ementis et vendentis dampnum
tamen vtilitatem pensantis vo-
lentis Ex hiis descendendo
ad propositum scilicet ad contractum emp-
cionis perpetui redditus seu re-
sue apparet quod vtrumque predictorum
modorum inter datum et accep-
tum seu inter rem et pretium eius
esse potest equalitas dum secundum
communem cursum et consuetudinem

patrie estimatur valor eorum et
vtilitas secundum se et simpliciter quo
ad modum primum vel dum hoc fit con-
traliter estimacione continencium
seu alicuius boni viri quo ad modum
secundum vt gratia Primo redditum decem
librarum perpetuum pro 200 libris
illud pretium in aliqua patria
et certo loco potest esse iustum et equale
illi redditui tamen eciam secundum communem
cursum et consuetudinem patrie va-
lere possunt 200 lib vendenti quam
redditus in decem lib videlicet tamen perpe-
tuis ita quod non sit in hoc non lesio
dea Et tantam aut forsan
maiorem vtilitatem exinde
consequi potest quantum ego omnes
ex illo redditu Et si forte
michi aliquo casu alienacio
redditus pro eciam cedere in de-
crementum aut lesionem vendentis
suppleri aut recompensari potest
per augmentum precii modo predicto
Ex hiis patet conclusio ad racionem que
namque prima pars ante oppositum scilicet quod contractus
iuste empcionis et vendicionis
requirit equale inter datum
et acceptum finaliter 2a pars que dicit
quod talis equalitas non potest esse
vbi pro ita pecunie summa emitur
redditus pecuniarum vel aliarum
rerum perpetuum Et oppositum eciam
istius partis iam est sufficienter de-
claratum Ad probacionem non eius
cum dicitur quod in successu temporis in
comparabiliter plus euenit de
redditibus in valore quam fuit
valor illius pecunie pro redditibus
date dicitur illi non est equalitas
inter datum et acceptum seu inter
rem et pretium eius iuxta communem
mensuram et equalitatem in huius-
modi rebus redditum et aliarum

rerum immobilium pensari non debet
secundum omnes et singulos succes-
siuos earum prouentus sed secundum
gradus vtilitatis quam ex earum
vsu habet contrahens penes quos
quidem gradus mensuratur valor
talium rerum secundum patrie consue-
tudinem et communem estimacionem
precii et rei appreciate seu ap-
preciabilis scilicet ipsius redditus de
quo nunc est sermo prout patet
ex supradictis Nam si pensari
deberet equalitas in contractibus
talium rerum secundum omnes et singulos
successiuos eorum prouentus seque-
retur quod nec opidum nec villa
nec ager nec alie possessiones
licite emi posset aut vendi
pro vlla pecunie summa quod tamen nullus
dicit. nec aliquis dicere debet
patet tamen communiter quod stat quod secundum diuersos
casus superiorum vel inferiorum
visitet emens et sui successores
incomparabiliter plus percepturi sunt
ex prouentibus possessionum emp-
tarum quam pecunie summa que est
earum iustum pretium se extendat etc.

Quarta questio est an li-
citum sit emere et vendere
pro pecunia redditus pe-
cuniarum vel aliarum rerum ad vitam
Tamen pro parte quod sic quia licet contractus
empcionis et vendicionis talium
redditum ad vitam sit frequenter
periculosus tam ementi quam vendenti
non tamen est de se vicious seu
illicitus Prima pars quod sit probatur
frequenter ex tali contractu omnes
deficiendi motus sollicitus est
de vite sue necessariis sollicitudine
superflua quam prohibet dominus Mathei
6o c. Nolite solliciti esse di-
centes quid manducabimus
aut quid bibemus aut quo operiemur

Sunt enim multi tam solliciti ad pcurandum tales redditus tantum de ficiendi timore ac si deus de rebus humanis nullam haberet pru dentiam Vnde glo sup predicto loco evangelii Est sollicitudo superflua pro vicio hominum qui fructus et pe cuniam plus quam necesse est reservant et dimissis spiritualibus illis intenti sunt quasi de voluntate dei de sperantes et hoc prohibet Vnde subdit hec enim omnia gentes inquirunt Super quo dicit Crisostomus in rebus humanis fortuitis credunt esse non providencia neque iudicio dei vitam suam gubernari estima tes sed in eo dum eventu suo mito timent et desperant quasi nec eum habeat gubernatorem qui autem credit se iudicio dei gubernari escam suam in manu dei committit Hu ius sequitur Dicit enim pre ver quia hiis omnibus indigetis Ite r vendens redditus ad vitam quando de se est magis dare de summa quam accepit de alio sperans emptorem minus victurum Iam et si propter nimium lucrandi paratam pecuniam illud ab inicio fecit non spe rando ementem magis per ceptu rum si contingat illum cicius mori gaudet de illius morte propter lucrum quod inde sibi provenit Vnde si diucius supervivit dolet Ite sepe contingit quod in tali contractu emens se fingit deficientem per senio aut egritudine et ven dens ex hoc sperat lucrum suum et si postea emens appa ruit robustior et longevior vendens displicencia habet de vita ipsius volens pocius eum esse mo rtuum quam vivum et ex vna parte est deceptio et ex alia parte est

invidia contra proximum et vtrumque sit contra proximi caritatem Tercio apparet questionis pars in tali contractu pt invo quem habeat estimationem sive talis ade quacio inter datum et acceptum comparando vtrumque ad ipsum hominem in quem nata sit venire ut ex eo nec dampnificetur emens nec vendens ymo pocius vterque ex eo de lucro vel commodo conse quatur Sed eciam ut ex inde res publica non paciatur detrimentum sed recipiat incrementum et profectum Et talis adequacio inter datum et acceptum ad hoc sufficit ut con tractus emptionis et vendicionis sit iustus et licitus dummodo ibi sit substancia ad contractum requi sita nec interveniat fraus aut aliquid aliud quod viciet substan tiam contractus igitur illa pe conclusio vera quam nota est de se sed amplius patet ex dictis in predicto capitulo de contractu quo emitur redditus pretium Ita in multis con tractu pt talis fieri adequacio ratione cuius sit contractus iustus et licitus ergo a forciori pt fieri talis adequacio in tali contractu vbi emitur redditus ad vitam Item contractus quo aliquis emit fundum domum agrum vel aliquid tale ad vitam suam de quo pt habere certam quantitatem pecuniarum annuatim licitus est Sed contractus ille quo aliquis emit tales redditus seu ius percipiendi talem quantitatem pecuniarum annuatim ad vitam suam dimittendi venditori proprie tate fundi vel domus vel alicuius alterius de quo provenire possunt tales redditus eciam licitus est quia tamen quia in primo contractu talis emit

ad vitam suam quantum est in re seu quo ad veritatem rei redditum cum proprietate de quo provenire possunt redditus Sed illa emptio redditum in primo tractatu non iustificatur per addicionem emptionis proprietatis fundi vel alterius de qua habere possunt redditus igitur eciam non viciatur propter dimissionem proprietatis istius fundi seu alterius de quo provenient red ditus Et per illa parte adduci possunt rationes omnes quibus probata est conclusio ad secundum dubium precedens respon siva Et oppositum tamen illius 2e partis quod tenet doctor solemnis H. de Gandano primo quodlibet suo q. 39. et 2o quodlibet suo q. 14. Nam ex dictis suis in primo quodlibet q. 39 pertractat illam questionem vtrum liceat emere redditus ad vitam per pte necessaria pt tale for mari argumentum quod vsus pecunie seu nummi proprie est eius distractio seu alienatio igitur pro nummi locatione nihil pt iuste vltra substanciam eius recipi quod si fiat ab aliquo ille accipit aliquid pro quo nihil dedit et ita cum suo alienum tollit quod est directe contra equitatem natura lis iusticie commutative in qua debet esse equalitas in precio dati et accepti talis autem procul dubio est illa commutatio cum quis emit certos redditus ad vitam pro certa summa pecunie vel eius valore quod probat in tali exemplo det aliquis 100 lib ut ad vitam recipiat quolibet anno 10. lib hic infra xi annos recipiet sortem et 10 lib vltra sortem Si restat recipere istas 10 lib vltra sor tem quolibet anno recipiendo porcionem aliquam sortis secundum pre dictum pactum et recipere in anno xi simul totam sortem et 10.

lib vltra sub tali pacto quod det aliquis vno alteri 100 lib re cepturus per eas partes xi annos 100 lib cum 10 lib vera in nullo re fert ymo vi a pietatis co accomodare vsque ad xi annos quod singulis annis in porcionem re cipere et tamen in illo vltimo tracta tu manifeste est vsura In quo quo infert ille doctor quod trac tus quo redditus emitur ad vi tam expectando aliquid recipere vltra sortem si forte supervivit receptione sortis est vsurarius Sola enim spe et expectacione plus recipiendi vsura committitur Et sic subdit doctor ille idem est si pro certa pecunie summa ab ecclesiis vel quibus personis acci piatur ad vitam spe et expec tacione recipiendi aliquid vltra sortem Hoc enim solum facit vsuram quod vltra datum aliquid petatur sicut apte dicit Gamfredus in summa sua ... 12o quodlibet questione qua super illa vbi pertractat hanc questionem vtrum liceat ven dere redditus ad vitam dicit quod in tali tractatu quo quis vendit redditus ad vitam intendit magis dare de suo quam accepit de alieno sperans illum minus victurum Et ideo est idem cum eo quod predictum est de tractatu emptoris Et sic de quibusdam qui dant pecuniam ecclesiis et ab eis recipiunt certas possessiones tenendas in toto tempore vite sue Ideo dicit quod illicitus sit contractus eo quod homines se diu victuros et tales contrahentes credunt se aliquando recepturos de proventibus possessionum plus pecunia quam dederunt Et item quid ergo inquid de quibusdam

q accipiunt pecuniam credunt
certas possessiones tenendas
toto tempore vite illorum a quibus
pecuniam accipiunt non video aut
quo sit illicitus contractus ex quo
heredes sperantes aliorum cito mo-
ri et contendentes reddunt illorum
magis acceptiores de proventibus
possessionum quam sit pecunia quam de-
derunt. Unde et si propter necessitatem
habendi paratam pecuniam
istud ab inicio fecerunt non spe-
rando ementes magis percepturos
si tamen contingat illos citius mori
et magis percipere non video quo ti-
tulo racionis iusticie sit venditor
tenendus quod super est pro quo nichil dedit.
Nemo enim racione pacti dedisset
emptor aliquid de suo nisi spe-
rasset se accepturum tamen vel amplius
de alieno. Et ideo pro ista oppinione
confirmandi et contra secundum predictam
predicte conclusiones aut errores racionibus
aliis sicut contractus ementes tales
redditus procedit ex prudencia
carnis que inimica est deo ut dicit
Apostolus ad Romanos viii^o. Non enim
procedit ex caritate sed potius
ex cupiditate cuius signum
est inclusio timoris deficiendi
in natura et diffidencie cuius de deo
qui providere non solet hiis qui
faciunt erga ipsum quod debent igitur
contractus ille quo aliqui ementes
huiusmodi redditus procedit ex
mala radice et per consequens ex ma-
la arbore. Mala autem arbor
fructus malos facit ut dicitur
Mathei vii^o. Secundo sic omnis sollicitudo
provisiva qua quis nititur se
omnino certificare sufficiencia rerum
utilium pro vita sua ex prudencia
carnis venit seu ex sapiencia
huius mundi que stulticia est

apud deum secundum Apostolum i Cor. iii^o. sed
emptio redditium ad vite sufficienciam
includit talem sollicitudinem igitur
etc. Tercio sic omnis adinvencio
irrationabilis modi ut vie acquirendi
sufficienciam pro illa vita temporali
pertinet ad prudenciam carnis
seu ad sapienciam huius mundi sed
predicta emptio est una de illis
adinvencionibus tendit enim ad
habendum satis de natura huius
vite ociose et sine laboribus contra
illam generalem penam iusto dei iudi-
cio ade et filiis eius pro peccato
inflictam que est in sudore vultus
tui vesceris pane tuo donec
revertaris in terram de qua assumptus
Genesis iii^o. Habet enim iusticia dei sic
filiis adam non racione moti sed igna-
via cupiditate agitati suis ad
invencionibus variis evade-
conantes huius emptionis contractum
et similes illicitos plures inve-
nerunt et iam multos eorum a
deo in consuetudinem perduxerunt
ut non solum liciti sed etiam in cetibus
piis videantur habentes quidem speciem
pietatis virtutem autem eius
abnegantes prout Apostolus dicit
2^a ad Thimotheum iii^o. etc. Quarto sic
invencio filiorum ade de emptionibus
redditibus sine labore vivendi est
indecens et reipublice contraria
huius stati quod hac invencione admis-
sa tamen omnes refugiunt laborem
multi erunt in quibus ociosi in-
ducerent karistia et generaliter
fideles laboriosi tamen forte
omnis domus omnis villa omnis vi-
nea omne macellum omne bal-
neum gravatur censibus de quibus
plurimi fortes ociosi vivunt rei-
publice in nullo proficientes
contra rectis legibus huiusmodi adin-

vencionibus prohibende sunt et
iam introducte non sunt sustinende
sed extirpande. Quinto sic contractus
ille de quo agitur usurarius igitur
illicitus sumitur quod contractus in quo
fieret pactum de dando alicui
pro 100 lib et recipiendo vi
annos simul 100 et 10 lib ultra
mutuum esset usurarius sed quo ad
esse usurarium omnino idem videtur
dare iam 100 lib de pacto recipi-
endi in quolibet annorum vite 10
lib racio est quia in hoc casu
dans x lib annis vi elapsis
recipiet ultra sortem 10 et non
obstat usure sed successive reci-
piat quod maior utique pietas
fit illi a quo emitur redditus
10 lib pro 100 si emens de toto
expectaret usque ad finem dicti
temporis scilicet vi annos etc. Sexto
contractui emptionis ad vitam
accedit spes et expectacio
recipiendi ultra sortem et est usura-
rius quam tamen quod quando secundum doctores
sola spes huiusmodi facit usurarium
sed antecedens patet quod proposito tempore pro quo
emens successive recipiat tamen
quantum mutuo dat certum est quod ipse
cupit et sperat ultra illud vive-
re de hoc interrogatus indubi-
tanter quilibet confitetur igitur
etiam talis sperat plus quam
debet recipere. Unde si ultra tamen
temporis vivere speraret quare potius
redditus emere vellet quam pecuniam
suam alicui servire imposita
successive consumere non videtur
racio nec est etc. Septimo arguitur
quod tamen contractus iste etiam illicitus
sit ex parte venditoris ex eo

quod ipse cupit de alieno gratis
recipere sperans emptorem
cito moriturum. Nam si venderet
redditus alicui ad vitam pro eme-
lacione scieret illum scilicet emptorem
victurum longe ultra pro quod
successive reciperet tamen quantum
iam simul dat certum est quod non
venderet ex voluntate redditus
ad vitam nisi egestate coactus
quamvis hoc faceret. Unde quando contractus
iste originem recepisset verisimiliter quere gradus
vendens de vita ementis
omnino dubius intenderet simpliciter
et penitus libere consentire et
quod emens etiam ultra dictum
tempus equalem premissorum
deberet recipere. Et si forte
vendens quamquam voce dicat ad
racione remunerante recepisse
aliud tamen corde sentit teste ex-
periencia. Octavo tamen in hoc
contractu equaliter dubium sit
an emens vel vendens lucretur
quid est aliud racio in hoc casu
nisi mutuo consentire quod utrique
ad fortunam ponere si lucretur
vel perdat. Et per hoc recte similis
est iste consensus illicito con-
sensui illorum qui tamen equaliter
dubium sit quis in taxillis
piciat plures oculos posito de-
nario contra quemque se ad fortunam
referunt quis lucratur id est quis
id quod alterius est recipiat. Iste
autem consensus lusorum placet
illicitus est nequaquam excusans
a restitucione lucri igitur pari
racione in proposito. Nono quid
est aliud emere pro pecunia reddi-
tus pecuniales quam pecunia ca-

sint data eme pecuniaz
successive recipienda est con
naz seu roz numismatis
inventi ad hoc ut sit medium
commutacionis et non tantum quod . Non
enim vendens panem dicitur
eme denarium pro pane sed
datum sed denarium dans panem
eme dicitur . Ideo in quocumque
contractu pecunia traditur non
tamquam medium vendicionis sed ut
commodum mutuo traditur igitur spes
recipiendi aliquid huiusmodi pe
cunie tradicione usurarium facit
. Decimo in tali contractu ven
dens nullam rem transfert in
ementem sed solum se obligat ad
certum pensionem ergo non est verus
contractus empcionis et vendi
cionis etiam per idem contractum
persona libera redditum censu
alis quod esse non oportet . Undecimo
contractus vere empcionis con
petit omni etati indifferenter salva
adequacione dati et accep
ti . Iste autem contractus de quo est
sermo non sic quod probatur accipi
piatur iuvenis 20 annorum et
senex annorum sexaginta et po
natur quod utrisque complexio se ex
tendat ad vivendum per 10 an
nos tunc secundum hoc senex vi
vet adhuc 10 annis et iuvenis
40 . Si igitur ibi debeat esse ade
quacio racionabilis debet iuvenis
tanto plus dare quam senex
quanto plus victurus erit sed vivet
plus in quadruplo ergo in tanto
debet iuvenis plus dare quam
senex id est si senex emit decem

lib pro 100 lib tunc iuvenis
emere debet 10 lib pro 400 lib . Si
forte dicis iuvenis non dabit
tantum racionabiliter quia dubium est an tantum
vivat sed hoc non evacuat diffi
cultatem tollatur namque propter dictum
vi gracia medicorum illius quantitas pli
aduc iuvenis dabit pro 10 lib
ad vitam 240 lib ubi senex
non dabit nisi 100 sed hoc esset
fatuum quia pro 240 lib haberet
de redditibus perpetuis plus quam
10 ergo iuvenis vel non tenebit
equalitatem in tali contractu
ad contractum senis ut si tenet
pensatam pro porcione debita
ad contractum senis contractus
erit fatuus . Relinquitur ergo
contractus ille irracionabilis quia aut
non tenebit equalitatem aut
fiet fatuus . Duodecimo pecuniam
quam dat emens redditus est
certi valoris et non sic scrici
certus valor eius quod emens intendit
dit apparet hoc quia propter
unum florenum in quolibet 10 annorum et
ita deinceps ut tantum est igitur
cum quantitas vite nullius hominis
constet de quolibet anno vite sue
unum florenum id est si ibi contractus
acceptat irracionabilis erit et
equaliter summo fatuus contractus
quem hominum vanitas et cupi
ditas querit et racio nescit
. Adiunctum tertio ex radice predictis
articulis arguendo si licitum est et racionabile
eme redditus ad tempus vite et
ad tempus perpetuum sit ergo gracia
argumenti valor percipiendi
redditus perpetuus a et valor

percipiendi ad vitam b et c sit
precium iustum redditus perpetui et d
non precium redditus ad vitam . Tunc
sic si precium dati redditus perpetui
est iustum id est c equatur a et si
d equatur b quia iustum in empcione
cione et vendicione attendi
penes adequacionem precii ad va
lorem eius quod emitur ut patet
v. to ethicorum 4 . Hoc habito mani
festum quod a se habet ad c sic
b ad d igitur commutando proporcionem
sicut se habet a ad b ita se habet
c ad d sed hoc est falsum quia loge
maior est proporcio a ad b quam sit
inter c et d quod ex hoc manifestum
est quod aliquanti est valoris recipere
redditus florenum unum in quolibet
duorum annorum et dupli valoris
est recipere florenum in quolibet sex
annorum et 4 sic deinceps . Igitur
valor eius quod est recipere florenum
perpetue infinite excedit va
lorem recipiendi florenum per annos
vite alicuius quod fuit ondendum se
roles igitur videtur contractus illi vel
saltem alter eorum et si empcio
redditus perpetui est irracionalis
a forciori empcio redditus
ad vitam illicita erit quod est pro
positum . Confirmatur empcio redditus
perpetui non potest esse iusta seu
equa ut videtur patet quia ut iam de
ductum est ibi valor preposi
sit proporcione excedit omnem
finitam pecuniam igitur ibi esse
non potest adequacio debita precii
ad precium quantum iusticia commu
tativa requirit sed ergo ille contractus

de quo magis videtur est iniustus
a forciori alter scilicet empcionis
ad vitam qui multis et mag
nis de iusticia suspectus est et
hiis non obstantibus videtur quod
contractus empcionis et vendicionis
redditum ad vitam quantum est
de per se licitus est iustus sit non
includes quo ad formam contractus
usurariam pravitatem aut fraude
ut aliquid aliud ut videtur . Et
si non inspiciantur rectes sicte per
hanc partem una cum pluribus
hic statim sequentibus et subiun
gendis videtur quod illa pars romana
sit fundata et quod contractus ille
communis non passim debeat permit
ti omnibus eo quod multi male af
fectati plus innitentes pru
dencie carnis quam legi dei ut
saepe quod ex deo est isto contractu
abutuntur varys mane put patet
ex prima parte quo sicut de qua
nunc agitur et eius peccatoribus
. Tamen non solum in se quo ad substan
ciam videtur esse licitus et iustus
sed etiam expediens in republi
ca quo ad quosdam tali contractu
racionabiliter utentes nam in multis
casibus expediens est reipu
blice quod quibus per talem modum
de vite necessariis provideatur
illis qui strenue etiam utuo
se in republica laboraverunt
in spiritualibus et temporalibus sunt cum
adhuc laborare possint et la
borant sunt cum iam ceperint
deficere ut scilicet tales redditus
emendent et iusto precio secundum

racionalis estimacionem de qua
pre dictum vendat dum sitees
p pecunia iustis suis laboribus
acquisita emerunt redditus
perpetuos non esset iustum in tanto
Tercia si emeret redditus ad vi
tam iuste et licite posset fieri
et si utriusque contractus sua inspi
ciat de 2o debet esse nunc
dubium quod de primo Respondum
igitur est ad rones in opposito
factas et primo ad illam sed de
genand quia dicitur quod usus pecunie
per se est distractio seu aliena
tio et concedendum totum illud
usque ibi realis proculdubio
est commutacio cum quis emit
certos redditus ad vitam pro certa
sua pecunie illa non ad propositum
quando dicitur dat alicui 100 lib etc. Tum quod
sicut qui dat 100 lib ut ad
vitam recipiat quolibet anno
10 lib sic non dat quod emit reddi
tus 10 lib ad vitam hoc est ius
percipiendi quolibet anno vite
sue 10 lib et contractus factus
sit sic quod non est equalis dati
et accepti usque ad usquam hunc modum
in quo venit compacto secundum
modum expressum in solucione rones
facte contra conclusionem Resumo
Ad dum terciam licitus est contractus
quantum est de se et cum ultimo in
rone dicitur quod sic qui dat illas
100 lib infra 11 annos recipiat
sorte et 10 lib ultra sortem
hoc negatur Ra ut non dum vivet
vel si vivit tanto tempore vel ultra
adhuc nichil recipiet ultra sortem

est quicquid recipit a tempore emptio
totum est in rone sortis et de
eius natura et sic si quod diu vivet
de suo recipit si tempore quo emit
iusto precio dedit pro re empta
tam quod est ius percipiendi tot lib
quolibet anno vite sue de tali
fundo vel domo vel monasterio
vel civitate aut de alia re vel
persona in qua sunt huiusmodi redditus
constituti Sicut namque contractu est
ita vera emptio redditum perci
piendorum ab emente ad tempus
vite sue sic est in contractu quo
emunt redditus perpetui ab ipso
emente et suis successoribus
quolibet perpetue recipiendi Sed
in 2o tractatu quamvis in succes
sione tempore vel emens vel succes
sores sui longe plus sunt
accepturi redditibus in valore
quam fuit precium in ipso contractu
datum et tamen nec emens nec
successores censendi sunt ultra
sortem aliquid recipere quia quicquid
recipiet pro precio totum est
ratione sortis que accidit eis
et competit ex vi huiusmodi percipi
endi quod quidem ius recte et legaliter
emerunt Ex hoc etiam patet
quod si tali contractu de redditibus
ad vitam recte ut predictum est
facto postea placeret tamen empti
quod vendenti dimidiam paccionem
istam quod ipse emens totum quod in
fra vi annos sibi huiusmodi reddi
tibus proveniret vita comite ve
denti mutuaret ut etiam si sic
tali paccione ad peticionem
vendentis qui ex huiusmodi

mutuo se multum iuvare
posset et profectum consequi ipse
emens ex caritate motus hoc
idem faceret tunc anno vi elapso
ipse emens recipiendo simul 100
lib et 10 nichil ultra sortem cen
sendus est recepisse et idem
censendus est si usque ad 18
vel 20 annos emens cum vende
te item faceret pietatem et quo
libet anno dum ex iusto contractu
et ex vi eius quod est ex illo contractu
competit parare posset tantum vel
tantum quantum pecunie eidem ve
denti mutuaret et anno 18
vel 20 totum simul recipiet quod
ad duplum vel amplius ultra precium
primo datum ab emente se ex
tenderet non debet censeri pro
hoc aliquid ultra sortem recepisse
quia totum quod hoc modo in vita sua
recepit sub sorte sua iusta
et racionabili sibi cadit Et illud cla
re apparere potest in redditibus emptis
perpetuo ubi emptor magna
vi faceret graciam venditori si omnes
redditus sibi aut heredibus
aut suis successoribus iure
emptionis et vendicionis sin
gulis annis provenientes tot annis
ipsi venditori pro suo profectu
faciendo mutuaret quousque
etiam ultra precium primo datum
ab emptore ipse venditor ei
magnam summam solveret nec ex
hoc ultra sortem aliquid recipere
foret iudicandus cum totum illud
et plura alia proventus temporibus
iure emptionis sibi debeantur
Ex hoc patet quid sit dicendum ad hoc
quod idem doctor infert quod contractus

quo redditus emuntur ad vitam
expectando aliquid recipere ultra
sortem si forte supervixerit Recep
tum sortis est usurarius alle
gans ad hoc Hainricum in summa
sua dicendum namque est quod si contractus
huiusmodi legittime factus est modo
predicto et emens non habet intencionem
perversam aut fraudulentam
non est dicendum eum expectare aliquid
recipere ultra sortem quamvis ex
pectet recipere aliquid ultra hoc
quod dedit in prima emptione
si supervixerit et divine dispensa
tioni placuerit Non enim expectat
aliquid recipere nisi quod cadit sub
sorte sua sicut manifeste patet
in alio tractatu de redditibus
perpetuis Ex hiis etiam patet quid
dicendum sit ad ea que contra huiusmodi
tractatum adducit idem doctor
in 20 questione suo allegans etiam pro
se Hainricum Alia namque intelli
genda sunt de hiis qui fraudant
pecunias mutuo vel qui corrup
ta intencione huiusmodi tractatus
faciunt emendo et vendendo
vel fraude in estimacione iusti
precii committunt vel aliquo alio
inordinato et illegitimo seu ille
gittime contractum hunc perficiunt
in ordinatis desideriis tem
poris moti simpliciter decepti
Ideoque etiam consulendum est fide
libus quod ad huiusmodi contrac
tus non sint proni nisi causa ro
nabili de qua iudicio sapientum con
stare possit movente eodem
que iudicio sunt alia contractus ipsius
iuste et rone dati et accep
ti ordinate et ab eo omnia

ex pte emētis et vendētis
que ↄtractū viciare possūt
excludere ut ↄ. Hijs ergo
ad rōes ↄtra pdicta ptem
glo^e adductas. Ad pmā
qn ar^r emē etc. redditur pro
cedit ex prudencia carnis
dr q licet hoc vm sit i mltis
nō tn hoc oz in omnibus nec ē
de rōe aut sba ↄtractus et qn
dicit q huius signū ē iclusio
timoris deficiēdi in neccs
et diffidēcie eydē de deo dico
q tlem diffidēciā i ↄtcībz
eē nō optz. Timor nō defici-
endi i nccīs nō est illicitus p
quo sciendū q omīs timor
predit ex amore contrario
illius qd timet sicut pdendi vi-
tā tpalem aut rem tpalē
predit ex amore habendi
nccīa huius vite. Amor at
tlis pt eē triplex. Vnus
qdem quo homo vite nccīa
diligit plus q deū. Ita viz
ut pp ter ipa trāsgreditur
mādata dei et peccat mortr
et tūc eciā timor ille ē pctm
mortale. Alius est amor quo
huius vite nccīa tlis amat
nimis et plus q optz tamē
citra deū. Ita sz q ut nō vellz
deliberate p huiusmodi dm
offendē et ↄtra eius mādata
facē et tūc sicut tlis amor
est pctm veniale. Tercius est
amor quo homo huius vite nccīa
amat scdm rōis regulam
et dictamē nō plus q deum
nec eciā nimis citra deū sed
moderate et ordinate scdm

deū ut sz se p huiusmodi vite
nccīa ↄsfuet ad dei glām
et honore. Hic aut amor nō
est pctm s est potius homi qddā
debitū. Hō aut nō est suipius
s dei cui scdm industria a
deo ē datā et legē rōis ac
legem dīnā tenet ↄsfuāe
vitā suā p nccīa ad huiusmodi
ↄsfuacōz a deo ordinata.
Et ob hoc dixit Apostolus i Cor
vi^o. Nō estis vri. Empti em
estis pcio magno glorificate
et portate deū in corde vro
et sic tlis amor necessarioy
vite nō est pctm ita nec tior
resiciēdi in tlibus est pctm
Distinctiōz silez ponit aug^s. li^o
3° suo capitlo 168°. Ad scdm
qn ar^r Dis sollicitudo puisia
qua quis nitit se omo ctifi-
care de sufficiēcia rez vtilum
p vita sua ex prudencia car-
nis venit. Dr q aliquē niti se
omo ctificare de huiusmodi
rez sufficiēcia dupr pt intelli-
gi. Pmo sic q ita velit se ad
certitudinē de huiusmodi rez
sufficiēcia q ctus sit se non
posse deficē in hac vita et
in hoc sensu ↄcedit maior
et eciā bor que est infinita
que bn ↄgessī est ppt multos
abusus quos filii huius secli
inittētes prudencie carnis
in huiusmodi ↄtractu ↄmittūt
sic sup dictū est in pma pte
q^o de qua ē smo et pbaciō-
bus eius et eciā in aliis
supius dictis etc. Sdo aliquis niti
omo ctificare de huiusmodi

rez suff ita plene q nō sit
visitē mō mo quez huanum
et quez dei prudencia q tlis
in vite nccīs tpe vite sue
deficiat et tūc nc a^o sz q ois
tlis sollicitudo veniat ex pru-
dencia carnis etc. Pro quo ē sciēm
q triplex est sollicitudo circa
nccīa psentis vite vna rōlis
et ordīata alia puersa 3a
supflua. Pma ē circa huiusmodi
necessaria psentis vite rōli
puisiōe ut sz eis quis i psenti
vita ad dei glām cui se quer-
sare tenet sustentet et iu-
uet ad militandū deo in hoc
tabernaclo qd est pns eciā
donec pueniat usqz ad domū
dei celeste cū victoria. 2a est
circa huiusmodi nccīa huius vite
intencōne puersa ut sz i eis
quis carnalr delectet et fe-
sum ↄstituet in eisdē. 3a est
circa huiusmodi nccīa huius vite cū
supflua acumlacōe et tali
deficiēdi timore ac si deus
nullam de rebus huanis hēat
puidēciā. Pma sollicitudo li-
cita ē ex^o xpi et scoz prim
appbata. Vtraqz nō cetaz a
xpo phibita est et ab ipo ex-
emplis et argumētis illicita
demostrata ut ptz Mt vi^to
Nolite g^o sollicitι esse etc. Itē ex
tu et glosa pma eē licitam
et 2am eē illicitā ondit Aug^s in
smone dni i mōte tractās
illud Mt vi^o Nolite g^o sollici-
ti eē etc. Dicēs q dns hoc nō
impbat s quis huano mō
illa nccīa pcuret s si qs pp
illa militet ut in opibus suis

nō regnū dei s illoz acquisicōz
intueat. Et iō ne in suis dei
qui vident hec puisioz dr nccīs
aliqui scandalisat dns noster
dignatus est hēre loculos hec
Aug^s ut ptz q pma sollicitudo
de nccīs huius vite nō venit
ex prudencia carnis q inimica
est deo et que mors ē s ex
prudencia spūs que ē vita
et pax scdm apostolum Ro. viii^o
Scda aut ex pdēcia carnis
venit et iō phibet silr et 3a
de qua supra habitū i pla-
cōne pme ptis q^o de rsnsine
ad illud dūm tē. Ad tercia
qn ar^r Dns admirācio rrolie etc.
ↄcedit maior illa s tn i bor
dicit q pdicta emptio est vna
de illis s intelligit quoad est
de pse quo ad substā ↄtractus
negāda est. Si aut intelligi
q qn sit vna de illis pp abusioz
illoz qui ociose volūt viue
et dīnā sentēciā ↄtra in
eis est subterfugē tūc nō re-
pugnat ↄclūi mee rsnsine s
est ppria pte eiusdē. Vn in hoc
tractatu pt esse ↄtractus simpr
i intēcōe recta et tūc ē iustus
et licitus et cū de pse nō inclu-
dat aliquā iniquitatē aut
maliciā pt etiā in eo ee
ↄtractus nequā i intēcōe puisa
et tūc rōne illius reddit illicitus
et puersus. Vn Aug^s in libro
de opibus monachoz et ponit
in glosa sup illud Mt vi^o Ne
sollicitι sitis loquēs de pdi-
catoribus vi dei et ministris
altaris et dispensatoribus sacra-
mētoz dicit cū dns ait Nolite

sollicitu esse etc. Non hoc dicit ut
illa non pateret quantum necessitas
est ubi honeste poterunt sed non
ista intueatur et propter ista faci-
ant quicquid in eorum prejudicare
facere iubent eam namque intuitum
paulo supra octavum recitavit dum
vixit. Si oculus tuus fuerit simplex
totum corpus tuum lucidum erit
si autem nequam fuerit totum corpus
tenebrosum erit etc. Ad quartam quando arguitur
admixtio plurium et illa inde
finita tamen creditur propter abusiones
et abusores de quibus tamen est
dictum sed ex eo quod non sequitur
quod contractus ille de parte sit illicitus.
Ad quintam autem contractus de quo
agit est usurarius si intelligitur quando
est de parte venit ad probationem quia
contractus in quo fiet pactum tamen
dico quod non est similis de illo contractu
qui erit contractus mutui et de
illo qui est contractus vere emptionis
et si emens vivet xi annis et
illis elapsis recipiet ultra ultimum
sortem vel summam 10 libras pro qua
redditus suos emit et ultra 10
libras nil recepisset ultra sortem et de
hoc satis prius dictum est in solutione
rationes h. de gandavo etc. Ad
sextam quando arguitur contractui etc. Dicitur
sicut supra in solutionibus rationum h. de
gandavo quod non sequitur emens
sperat aut expectat aliquid
recipere ultra hoc quod dedit si se-
vixerit et divine dispensationi
placuit in sperat aut expec-
tat aliquid recipere ultra sortem.
Non enim expectat aliquid recipere
nisi quod cadit sub sorte sua prout
manifeste patet in alio contractu
de redditibus perpetuis. Ad aliam
cum quod si vendens hic octavum simplicem
et rectam intentionem et contractus

perficit legittime tunc ipse nichil
cupit de alieno gratis recipere
nec etiam sperat emptorem cito mo-
riturum propter hoc quod ipse de alieno
recipiat vel retineat sed cogitat
quod si emptor diu supervixerit ita
etiam quod ultra pretium primo datum
rationale summam recipiat quod adhuc
ipse de tali contractu non habeat
dampnum sed commodum aut lucrum
propter ipsum sic querentem in que
quesivit vel quereret pro primum
emptionis et venditionis. Item quando
dicitur in ratione quod si vendens redditus
ad vitam pro revelatione sciret illum
scilicet emptorem victurum longe ultra
tempus per quod successive recipi-
et tamen quantum ad summam dat etiam
quod non venderet sibi voluntarie
redditus ad vitam nisi egestate
coactus quicquid hoc faceret dicendum
quod si in tali casu revelationem ven-
dens non venderet redditus volu-
tarie ad vitam nisi egestate
coactus non tamen ex hoc contractus
reddit reddit ex parte venditoris
illicitus. Nec sequitur quod venditor
cupiat de alieno gratis re-
cipere vel speret emptorem cito mo-
riturum. Non enim oportet quod per intuitum
qua intendit per talem contractum
revelare suam paupertatem aliquam
sic intuitum pervertit. Item vel ho
est certum quod in tali casu non ven-
deret voluntarie redditus ad
vitam nisi egestate coactus quia
propter talem egestatem adhuc possit
attendere suum lucrum quod ex pe-
cunia emptionis ipse posset industria
se illam impendendo et hoc modo
etiam aliquis vendit redditus
perpetuos ubi tamen est quod si emptor

per se vel suos successores plus
recepturus est quam dedit in contractu.
Iste quando dicitur in ratione contra ergo non
vendens et dico quod illud contra quando
et contrahendo supponitur quod non vendens
de vita ementis omnino dubius simpliciter
intendat et libere consentiat
quod emens ultra dictum tempus ex ple
pestorum recipiat sed hoc non obstante co-
cedo absolute sic tangitur
in ratione licet hoc tamen debeat inten-
dere et velle voluntarie et sub condi-
tione hoc est si contingat emptorem
ultra tale tempus vivere etc. Ad octavam
dicendum quod non sequitur in hoc certa
tamen equalitate dubium est an emens
vel vendens lucretur in eo in
hoc casu consentire sed mutuo non
est aliud quam utrumque ad fortunam
ponere si lucretur vel perdat. Et ratio
quia si debite fit contractus iste tunc
uterque non ad fortunam sed ad rationem
se ponunt ita secundum estimabilem
rationem supputatam ex consuetudine
et quando inversa parte nemo eorum
dampnificetur tamen valeat unum scilicet
venditori pretium quod accepit quantum
valet alteri scilicet ementi redditus
quos emit et potest esse quod utique habe-
bit lucrum et commodum et si quomodo
propter quemcumque eventum sicut patet ea que
in talibus quandoque fieri solet unus
eorum aliquo casu fortuito super-
veniente lucretur et alter dam-
pnificetur de quo est dictum et nulla
certitudo saltem commoda ex hoc
non sequitur quod talis contractus fuit for-
tuitus vel quod contrahentes se posu-
erunt ad fortunam nec etiam est
in illo contractu sicut in ludo taxo-
rum eo quod contractus ille dirigitur
ratione qualiter non est in tali ludo

saltem quoniam est ex parte ludentium
qui fortuitis taxillorum casibus
se committunt etc. Ad nonam dicendum
quod emere per pecuniam redditus pe-
cuniales non est emere pecuniam
successive recipiendam saltem formaliter
sed est emere ius successive recipi-
endi pecunias et de hoc satis
dictum est circa principium secundi capituli
vel 3. Ad decimam dicendum est necdum
illam quod in tali tractatu vendens
nullam rem transfert in ementem.
Transfert enim in ipsum ius supradictum
quod est res incorporalis et tamen
etiam dicitur quod persona libera
non debeat reddi censualis
contra hic supra ut esse ostensum etc.
Ad undecimam quando dicitur contractus
vere emptionis competit omni
etati inducens salva adequatione
dati et accepti. Dicendum quod hoc est
verum intelligendo adequationem
illam prout datum et acceptum com-
parantur ad usum hominum in quem nata
sunt vertere ita ut sit equalitas
dati et accepti ad talem usum.
Et quando dicitur in ratione iste autem con-
tractus de quo est sermo non sit
illa nec ad probationem accipiat
iuvenis etc. Concedo contractus ille et quando
ex hoc infertur si ergo ibi debeat
esse adequatio rationabiliter debet
iuvenis tanto plus dare quam
senex quanto plus victurus erit
nec quia quod si sic in redditibus perpe-
tuis non est mensuranda valor
redditum secundum omnes et singulos
successivos eorum proventus ita
quod secundum illos quantificet etiam pre-
cium et accipiat equalitas
inter datum et acceptum sed prout

valor utriusque scilicet redditum et
precium et etiam qualitas inter
ipsa accipi debet penes gradus
utilitatis ad finem humanum
consequendum deservientis et ex
pedientis qui quidem utilitates
liciores licite possunt ut habent ex eorum
usu prout supra visum est in casu
primo ita etiam valor redditum
ad vitam et precium eorum non debent
quantificari per omnes et singulos
successivos proventus redditum
quo ad annos vite ipsius emptoris
sed penes utilitatem predictam
que secundum estimacionem racionalem
ex quadam cursu et consuetudine
patrie haberi et cognosci potest pen
satis etiam condicionibus ipsius
ementis quo ad complexionem et
etatem et quo ad statum et ydo
neitatem et indigentiam persone
et etiam consideratis condicionibus
vendentis quo ad industriam
et alia huiusmodi secundum que
pensari possit quantum valeat
precium acceptum et etiam pensa
ta habitudine eorum scilicet ementis
et vendentis adinvicem et simul
liceat in casu articuli racionabiliter estimetur
quod iuvenis plus debeat dare
de precio quam senex non tamen oportet
quod plus det precise secundum propor
cionem estimatorum annorum vite sue
ad annos senis et nec etiam oportet
secundum talem proporcionem plus dare
etiam si propter dubium tollatur
medietas vel etiam tollatur
due tercie ut huiusmodi constet
illius plus sit sufficit tanto plus
dare quantum indicatur secundum estima
cionem iam dictam etc. Sed duodecimam
pecuniam quam dat emens redditus
est tanti valoris et non potest sciri certus
valor illius quod emens intendit igitur
sic contractus attemptari racionabiliter
erit etc. dicitur ne duo illa quamquam
quare ad hoc quod contractus ille sit racionalis
et non casualis nec fatuus
non requiritur certitudo sive valoris certi
titudinalis quantificacio illius
quod emitur sed sufficit estimacio vi
silis qua estimatur secundum bonam
racionem pensatis illis que cum illo
contractu pensanda sunt quod id
quod emitur tantum valeat emen
ti quantum pecuniam quam emens dat
videlicet vendenti tali modo fieri
debet in contractu quo emuntur red
ditus perpetui ubi etiam non potest
ad precium sciri aut certitudinaliter
quantificari valor illius quod emitur
nec modo iam dicto. Ad decimam
dicendum quod in tali casu a se habet
ad c sicut b ad d intelligendo hoc
non secundum precisam mathematicam sed secundum
adequacionem moralem ita quod secundum
racionalem estimacionem non notabiliter
aut in multo a excedit c. a
converso sic etiam nec in multo
nec notabiliter b excedit d aut
econverso de qua adequacione supra
visum est casu 3º et hoc modo
etiam concedo quod commutando proporcionem
sicut se habet a ad b ita se habet
c ad d et cum dicitur quod hoc est
falsum quia longe maior est propor
cio a ad b quam c ad d illa non
immo eadem est proporcio si bene
racionaliter et moraliter facta est utrobique
adequata et cum dicitur quod hoc
manifestum est ex eo quod aliquantus
est valor recipere redditus
florenorum vini perpetue unde quod sequitur va
lor eius quod est recipere florenum
perpetue infinite excedit valo
rem recipiendi florenum per annos
vite alicuius. Igitur habet illud quod
fuit ostendendum scilicet quod maior est
proporcio a ad b quam c ad d. Et
quod quarto ideo racionales sint contractus illi
etc. Ad hoc dico quod non est recipere florenum
perpetue nec b est recipere florenum
per annos vite alicuius. Nec per
tales recepciones successive
futuras pensari debet mensura
et equalitas in huiusmodi
contractibus facta comparacione
ad precia eorum. Sed a est ius per
cipiendi unum florenum perpetue
et b ius percipiendi florenum
per annos vite alicuius et ita una
secundum racionale iudicium pensata et
et estimata certa habent inter
proporcionem secundum quam etiam et c
et d eorum precia possunt racionabiliter
estimari modo iam dicto. Et per
hoc etiam iam patet ad confirmacionem.
Non enim sicut in redditibus perpe
tuis valor perceptorum in propor
cione excedit omnem finitam
pecuniam. Igitur ibi esse non potest ade
quacio debita precii ad preciabile.
Quia in contractu quo emuntur
redditus perpetui appreciabile
non est ipsa percepcio proventuum
singulorum successive percipiendorum.
Sed est ipsum ius proventus sustinen
di dum provenerint ut sepius
visum est. Ex dictis patet apparere
quod non licet aliquem tantum tradere emere
redditus ad vitam sicut emunt
redditus hereditarii perpetui quia
in talibus considerandum est
ut servetur equalitas proporcionis
utrobique iuxta modum prius dictum
sed talis adequacio non servaretur
si utrobique idem precium vel equale
daretur. Item sicut habet 10 quarta lucrum
aliqua certa potest illa dare ali
cui ecclesie et ab illa etiam
usquequo vixit recipere aliam
certam valentem plus in triplo
quam valeat certa per ipsum data
ita etiam videtur quod licite pecuniam
per qua posset emi talis certa
data vel equalis si dat illam
pecuniam ecclesie ut ex illa talis
certa emat licite potest a tali
ecclesia recipere ad vitam suam
certam aliam triplo plus va
lentem et per consequens redditus de
tali recentes qui utique exce
dit redditus qui posset emi
pro tali precio seu pecunia pro perpe
tuo sed cum sit dans ecclesie ita
summam pecunie ut ex illa ipsa
etiam emat certam valentem
tales redditus non det in media
pecunia in qua multum ius
retinet. Idem est ac si relinque
ret arbitrio et discrecioni
personarum illius ecclesie ut illam
pecuniam converteret in utilitatem
ecclesie prout eis magis ex
pediret et forte ecclesia
est sic obligata quod oportet eos ve
dere tantum vel plus de certa
sua vel de perpetuis redditibus
vel incurrere aliquod dampnum et
constat quod tunc magis expedit
illam pecuniam solui creditori
bus quam quod ex illa emat ita
et non obstante ecclesia racione illius pe
cunie constituit talis ius illam

pecuniam tradenti non vide
tur quod eque iuste et licite hoc posset
fieri ac si pro tali pecunia immedi-
ate ecclesia emeret aliquos certos

Quinto videndum est an
licitum sit emere vel ven-
dere pro pecunia reddi-
tus pecuniarum vel aliarum rerum
vel etiam alias res humano usui
congruas vel necessarias puta domum
agrum et cetera cum pacto quo emptor
obligatur ad revendendum rem
emptam venditori si et quando
sibi placuerit vel infra certum
terminum vel certos terminos. Ad
quod tertio suppono primo quod in emp-
cione et vendicione redditum
vel aliarum rerum adiecta condicione
et pacti quo obligatur emens
ad revendendum venditori rem
emptam de per se non viciat neque
illicitum reddit contractum probatur quia
in lege divina nichil illicitum pre-
cipitur sed condicio revendicionis in
lege divina invenitur aliquo tempore
precepta unde super illud Levitici 24
Cuncta regio possessionis vestre
sub redempcionis condicione ve-
det. Si attenuatus frater
tuus vendiderit possessiunculam
suam et voluerit propinquus eius
potest redimere quod ille vendiderat.
Sin autem non habuerit proximum et
ipse precium ad redimendum po-
tuerit invenire computabuntur fructus
ex eo tempore quo vendidit et quod
reliquum est reddat emptori
sic quod recipiet possessionem suam
quod si non invenerit manus eius
ut reddat precium habebit emptor
quod emerat usque ad annum iubileum
In ipso enim venditio reddit

ad dominum et possessorem pristinum.
Conclusio universalis ad questionem
contractus empcionis et vendicionis
pro pecunia redditus pecuniarum vel
aliarum rerum ad humanum usum
necessariarum vel utilium cum condicione
et pacto quo obligatur emptor
ad revendendum rem emptam
venditori de per se non est illicitus
dummodo debite et racionabiliter fuerint
substancialia contractus et nulla preter condiciones
seu pacti id intervenerit quod cedat
in fraudem usurarum vel alias
viciare possit contractum probatur
contractus empcionis et vendicionis
redditum vel aliarum rerum utilium
seu humano usui necessariarum pro
pecunia de per se non est illicitus
ut patet ex hiis que supra dicta
sunt 2o capitulo et adiecta condicio
seu pacti de revendendo
rem emptam venditori de
per se non viciat contractum ymo
pocius faciat ad hoc quod sit pie-
tas ipsi venditori qui in-
tenuatus vendit possessionem
suam vel redditus in ipsa constitutos
aliquam possessionem vel aliquos
redditus potest redire domino
providente et fortuna prosperiori
arridente et hanc pietatem
in veteri lege precepit dominus
fieri ut patet ex auctoritate Levitici
preallegata igitur adiectio talis
condicionis vel pacti de per se contractum
ipsum non viciat sed magis iusti-
ficat et per consequens totus contractus
cum adiectione tali non est illicitus
quantum est de per se. Dixi autem
notanter dummodo fuerint debite et
racionabiliter substancialia contractus

sed ut ibi sit consensus liber utriusque
ementis et vendentis et in sint
precium et merx sed res que emitur
etiam quod emat pro iusto precio racio-
nato quod fieri debet considerando
valorem rei que venditur secundum
consuetudines regionis loci et
temporis et etiam secundum ea que secundum
iudicium bone racionis conpedire
videntur utrique ementi scilicet et ve-
denti ac etiam reipublice ita
quod ibi fiat adequatio dati et
accepti secundum proporcionem qua sunt
ad usum hominum in que venit seu
nata sunt venire. Si igitur propter
adiectam condicionem minus daret
de precio quam res empta valet
in nota racionali estimacione credo
quod contractus sit illicitus quia contra
equitatem iusticie commutative
quod probatur quia adiectio talis condicionis
nullum facit preiudicium emptori
secundum veram equitatem iusticie
commutative igitur requirit racio congruit
equitati iusticie commutative
minus dare pro illa re propter condicionem
adiectam item et per consequens contrac-
tus reddit illicitus antecedens probatur
quia vel emptor rem emptam
obtinebit perpetue et pro here-
dibus suis venditore numquam per-
veniente ad pinguiorem for-
tunam ut aut per se aut per suos
heredes vel proximos possit
eam redimere. Aut non obti-
nebit emptor rem emptam
perpetue sed cumque oportebit eum
rem illam revendere propter ad-
iectam condicionem. Si primum constat quod
tunc tamen licet in illo contractu ac
si illa condicio numquam esset ad-
iecta igitur adiectio condicionis

nullum facit sibi preiudicium et
per consequens si minus dedit iusto precio
venditor dampnificatus est propter ipsum
et ipse emptor secundum deum et
bonam racionem tenetur ad integre
restituendum. Si datur secundum scilicet quod cumque oporteat
eum revendere rem emptam
tunc si emisset illam rem pro iusto
precio totum sibi redderetur quod ex-
posuit et cum hoc lucraretur
fructus de re empta perceptos
quod sibi debet sufficere secundum veram
equitatem commutative iusticie
et ideo in tali casu adiectio condicionis
illius nullum facit sibi preiudicium
et per consequens si minus dat iusto precio
contractus ex parte illius redditur
illicitus et venditor iniuste
dampnificatur per hoc quod medio
tempore defectum habuit in iusto
precio quod posset pro re sua vendita
debebat. Istud sic patet ex auctori-
tate superius allegata Levitici
24. Deus noluit quod tempore
illo secundum legis veteris emptores
possessionum obligati essent ad
reddendum eas venditoribus
quando eas possent redimere et ultra
hoc quod fructus medio tempore
perceptos in sorte computaret
et solum quod de precio pro empcione
residuum esset acciperent sed ad
hoc non fuissent divina ordinacione
obligati si per hoc fuissent dampni-
ficati aut contra equitatem com-
mutative iusticie gravati. Igitur
multo a fortiori non dampni-
ficatur nec contra equitatem com-
mutative iusticie gravatur si
dato iusto precio plene correspondente
valori rei alligetur ad reddendum

rem empta venditori qui
ea potius redimere pro eodem
precio et cum luceret fructus medio
tempore perceptos. Sed dices res em-
pta propter obligacionem emptoris
ad revendendum minus valet
ipsi emptori quam si talis obligacio
non esset et secundum equitatem iusti-
cie commutative remissius potest
emi cum tali obligacione quam sine
ea. Iste contractus in quo fit obli-
gacio emptoris ad revendendum
rem emptam venditori quando
voluit vel omni tempore vel quolibet
anno certo tempore assignato vel certis
temporibus assignatis non est contractus
verus emptionis vere et vendicionis
sed quasi mutuum ideo quantum ad re-
sponsionem ad dubium illud non
videtur vera causa quia vere proprie
et veri contractus emptionis et
vendicionis neuter contrahencium
obligatur alteri eo est quia vi huius
contractus plene res venditoris
fit ipsius emptoris sic equivalens
precium vel res emptoris fit pos-
sessio venditoris. Sic enim erat
cum res pro re commutabatur et
non minus modo cum datur equivalens pro re
contractus in qua iusta legalis
estimacio equale datur vel
commutatur pro equali unus non obli-
gatur in alterius aliquid cum uterque
recipiat equivalens pro re sua.
Hoc autem fit in contractu emptoris
et vendicionis qui secundum medium
iusticie commutative que in equalitate
consistit valor eorum que commu-
tantur ut patet 5° ethicorum. Item
propter obligacionem huiusmodi
emptor non est totus dominus possessionis

rei empte pro quocumque tempore et ita
non potest eam pro arbitrio suo se-
cure uti nec pro utilitate sua plene
de ipsa disponere commutando vel
locando vel aliter cum ipsa quod placet
faciendo et per consequens non est domi-
nium rei illius translatum in ipsum cum
tamen dominium pecunie vel rei quam
pro ea dedit venditori fuit ple-
narie translatum in ipsum non est
ergo quo ad hoc equitas in tali
contractu. Vicesimo ut aliquis emit
equum ut pretium optimo tempore in
eo merces deferat quam careret tempore
tempore eodem cum iam est equus in labore
venditor petit ipsum sibi revendi-
di in quo casu tenetur emptor
et dampnum non incurreret et similiter
fiet in rebus aliis que emi
et vendi solet si emptor obli-
getur ad vendendum indilate ven-
ditori quandocumque petit vel exigit etc.
Ad primum illorum quando dicitur res empta
propter obligacionem etc. hic forte
posset dici simpliciter negando illud eo
quod obligacio que cadit solum in
persona non diminuit valorem
rei venalis sic obligacio que
cadit in rem ipsam aliquid retinet
ut servitus communis et ergo propter
obligacionem emptoris ad reven-
dendum rem emptam non vendit
minus res secundum se quam si illa
obligacio impertinens valori rei
non esset eo tamen ergo prosit remissius
huiusmodi obligacionem remissius
res emeretur. Sed illa solucio non videtur
sufficere quia sustinentes oppositum con-
tra dicere posset quod licet talis obli-
gacio non facit rem emptam
minus valere secundum se quam si obli-
gacio non esset tamen videtur quod faciat

rem minus valere emptori secundum
se quam si obligacio non esset quia cum
illa obligacione non tam plenum
et liberum habet dominium rei emp-
te sicut si illa obligacio non esset.
Et etiam quando in hac solucione
dicitur quod obligacio non solum cadit
in personam non diminuit valorem
rei venalis communiter hoc verum
sit quantificando valorem rei secundum
se non tamen propter veram quantifica-
do valorem illum respectu ad personam
que propter rem illam obtinendam
sic obligatur posset namque persone
imponi obligacio aliqua fuit tanta
vel alia que ipsam sic aggravaret
quod melius etiam esset sine re ipsam
simpliciter non habere quam ipsum sic obli-
gari. Posset etiam obligacio
esse talis quod habitacio seu possessio
illius rei sibi valeret in duplo
minus quam si illa obligacio que
in sua persona cadit non esset et
per consequens secundum veram equitatem
iusticie commutative absolute liciter
posset emere rem aliquam cum aliqua
tali obligacione in sua persona
cadente in duplo remissius quam
si talis obligacio non esset. Solucio
igitur predicta non videtur sufficere
quia nimis generaliter loquitur de obli-
gacione persone volens quod res
nullius talis obligacione que solum
cadit in persona res emptor pos-
sit et liciter sit oppositum
tamen omnino etc. Aliter ergo descendendo
ad speciem huius obligacionis
de qua nunc agitur dicendum quod licet
res empta propter obligacionem
emptoris ad revendendum
eandem minus sibi videatur vale-

quam sine illa secundum estimacionem
eorum qui corruptum habent iudicium
et sua querunt in ordinata cupiditate
non tamen minus valet sibi secundum veram
iusticie commutative equitatem
quam recta racio dictat et lex
caritatis iubet nam homo datus
est homini in adiutorium et re-
levamen ita ut alter alterius
onera portet et indigencia
eius relevet pro loco et tempore
et negociis hoc expostulanti-
bus seu requirentibus hoc utique
dictat naturalis racio hoc requirit
hominum societas politica eo quod
homo sit animal politicum et civile
ut habetur primo politicorum hoc
etiam iubet lex caritatis dicens
diliges proximum tuum sicut te ipsum
Mathei 22°. Sed hec dileccio non
solum est servanda in corde aut
proferenda ore sed etiam exhiben-
da opere iuxta illud prima Johannis 3° non
diligamus verbo neque lingua sed
opere et veritate. Sed manifeste
contra hoc racionis dictamen et
contra legem caritatis facit
qui in predicto contractu propter
adiectionem obligacionis ad reven-
dendum rem aliquid diminuit
de iusto precio quod secundum talem condicionem
res ipsa venalis valeret
eo quod dato iusto precio emptor
non haberet dampnum sed lucrum ut
patuit in probacione 9° ad . . .
dubium . . . et pro diminu-
tum iusti precii gravat et dam-
nificat proximum suum contra equi-
tatem iusticie naturalis racionis et
legis caritatis etc. Ad secundum ob-
iectum contractus quo fit

obligacio emptoris ad tercium ne=
gando ans ad pri cu dicit
q rone ppris et veri gtractus
empcois et vendicois neuter
continentium obligat alteri
verum gredendo illud infinite ut
ppoint de aliquo gtractu tali
et ex hoc michil ad ppositum
de gtractu de quo nunc agit
Si aut aliqs dicat q rone
nullius gtractus empcois et ven=
dicois aliud gtinentium oblige
alteri hoc negandum est cum ex
lege dicta supius allegata
habeamus hoc fuisse aliquando
in precepto q emptor obliga=
tus eet ad reuendendum pos=
sessionculam emptam venditori
uel alium de suis ppinqs
ul heredibus ad primum cu dicit
q in gtractus huiusmodi sz
vendicois et empcois eq plene
res venditoris fit ipius emp=
toris sic equaliter dico q hoc
non sp opz quia aliquis pt
vende domum agru ut equu
ut aliud huiusmoi alteri quo
ad ppietatem et tn fructuum
ipi hoc id quo ad cetum usum
p aliquo tpe quo ut etiam
magno Sic no sequitur i gtractu
isto ut illo res venditoris
plene fit emptoris et ergo
ptet etiam gce fieri i gtractu
de quo nunc agit qui neutro
continentium alteri obligat quo
ad plenam translacione dominii
alicuius rei quo ad ppietatem
et usum in ipm emptorem
ubi stat obligacio ipius emp=
toris ul ad reuendendum

ut aliquis aliud in gtractu ex=
pssio Sed tum cu ac ppt huiusmodi
obligacionem ex gresso toto ante
ne qua qua infert et pgone
no est dominium rei illius trns=
latum i ipm Ita sic huius re aqs
sz domum ul agrum ex sup qua
hz plenum dominium quo ad
ppietatem et usum pt ul ex
amicicia ul ex alia ca volu=
tarie alteri vende p nominata
summa pecunie quacumque illi pla=
cuit ita ut ptus tamen obligacioni
no sit etiam p quocumque tpus de
possessione illius rei sue et ita
no sp possit ea p arbitrio
suo uti nec p utilitate sua ple=
ne dispone tn quamdiu alter
no emit ea apud ipm manet
illius rei dominium nec ppter obli=
gacionem illam pdit dominium quia
no transfert ab ipa i alium cui
se obligauit antequam ille emat
eam Sic in ppoito meo no sequitur
emptor no est etiam de possessione
rei empte p quocumque tpus
futurum ppt obligacionem ad re=
uendendum i i ipm no est translatum
dominium rei empte immo ia
vertit in ipm translatum e do=
minium illius rei ac si illa obli=
gacio no eet nec obligacio
facit dominium illius illo rei
mane ul ee apud venditorem
s facit posse transferri i ipm
p nouam rei empcionem Sed si va=
leret dicta qua sic quilibet mor=
talis ho heret dominium cuiuscumque
rei q nullus talis est certus
de vita sua p quocumque tpus
Ex hiis pz q etiam no sequitur
ex pdicto ante q iste no sit

equitas in tali gtractu quia
talis inctitudo possessionis rei
de qua dicit in ante et etiam
obligacio ex qua oritur talis
inctitudo in nullo tollit a dimit
equitatem in gtractu tali eo q
in plena ptate emptoris
sit tamen rem cu tali obliga=
cione no eme nisi e visite q
aliquis cum tali obligacione ex
qua oritur talis inctitudo re
aliquam emeret nisi e appareret
q exinde nullum dampnum
incurret aut etiam intrare poss
vitam emo librum aliquem cum pdicta
obligacione remaneat venditor
quicumque velit nullum e in dampnum
et si cum recepit usq sto libro
erit in lucrum et ita i multis
exemplificari pt tales gdicio
ul obligacio fuit in lege veteri
precepta ut Leuitici 25 i no tollit
equitatem in gtractu Sic vendor
pt ad istius rone ante q ipm
no est vim si intelligit vlr de
omni tali gtractu reempcionis
Ita si appareret emptori q
inctitudo illa de qua i ante
dicitur e sit ut ee posset pniudicii
alis aut pnicisa gtractus
huiusmodi tale cunctacionum pt
et etiam solet q emptor ipe
dampnificare no pt quia salti
et egtaui nec p aliquem mo
dissoluere meterez e compelli ad re=
uendendum solet vnum tpus etiam
ut duo aut tria ipa etiam ami
imolia vi gra a festo mensis
philippi et iacobi ex quo tpe
ut quibus quibus venditor quo=
libet anno reemere pt rem
a se prius vendita et quando

aliquo tam, tpm, obuerente
venditor no reemit illa re
tunc emptor secure possidet
ea cum illo toto anno si solu in
cotractu vnus talis tmi est
statutus ul usq ad aliud tmi
si plures termini sint statuti Sic
tales pnt eppom gdicioes et
cunctancie in huiusmodi gtrac=
tu quibus sufficienter caueat ne emp=
tor impediatur quo minus de re
empta p sua vtilitate possit
plene dispone cum in ipm rei
empte dominium plene trns=
ferat Ex hiis etiam pt pa=
tere quid dicendum sit ad hoc q
in eode arto dicitur vi gra
aquis emit equum ex qua si opor=
tuno tpe meo merces defecit
aut arcet venditor no pt
eum p tunc impetere de reuendi=
cione s opz eum expectare
tpus statutum etc

Sexto videndum est an li=
citus sit gtractus quando aliquis
sup hereditatem suam q=
cumque noiet vendit alicui vnum
talentum p 8 talentis denari=
orum wien soluendum ad ia tpa i
anno sz i natali dni i die sti
georii et in die sti micha=
helis adiecta gdicione q venditor
plenam heat ptatem remedi=
endi censum quum pt ul ptendat
aut simul sp vnum talentum reddi=
tum p octo talentis wien
Et q si octo lib sint iustum pcium
eorum taxatum et consuetum dari
i pcia vbi fit talis gtractus
p redditu seu censu ppetuo
vnius lib sine adiectione gdicionis
remedi tunc gtractus ille qui in
est de se licitus est no expugne

legi nali diuine ut huane
put pz sufficiet q ex hiis q
dicta sut in capitulo vto im
mediate precedenti Si aut 8
lib sut nota mg iusto pcio
dari 9sueto pro redditu
seu censu vnius lib ppetuo
tuc distingwendu est q illa mi
noracio pcy aut fit pp aliq
pia et racionabile causa
cu 9sensu mre volutatis ve
ditoris ut sz redditus emant
ad puistoz quarucuq pia et
ronale paupum ul aliaru
psonaz vtiliu i republica
et ob hoc eciam venditor
patus sit dare de suo et re
mitte pte de pcio tuc itm
licitus est 9tractus qr sic ven
ditor poss dare grat alteri
censu aliq item sup domo
ul alia re sua ita eciam pt dde
ul vendere p pcio qtulibet
puo Aut talis minoracio pcy
fit sn 9sensu mre volutario
venditoris qr sz angustiatus
cogit vende rem sua pro
minori pcio q valet et empto
no habet causa minoradi pciu
nisi pcise pp ter adiectaz condi
cois reemedi Et tuc 9trac
tus ex pte emptoris est
illicitus vicosus et iniustus
repugnas equitati iusticie
9mutatiue et legali naliac
dine put sup osn est i ca o
v to precedenti Pte 9s hoc id
qr dicit hugo de sto victore
li o p o de sacrametis pte 12
ca o sto sib lege nali duo
precepta fuerut sz qd tibi
no vis fi alti ne feceris et

qcuq voltis ut faciat vob
hoies eade et vos facite illi
Sz cont vtruq illoz precepto
facit emptor minuendo pciu
dcto mo in 9tractu pdicto
qd p z qr qn talis minoracio pcy
fit pcise pp t adiectaz 9dicois
reemedi tuc venditor ex in
digencia et neccitate q vrget
eum iusto pcio recipit p re
sua et sic patit se dapnificari
ppter hoc q vrgente neccitate
sua et indigecia aliqliter
reueret Constat aut q empto
no vellet hoc sibi fieri qd i tali
casu sic dapnificare sz poci
vellet q iustu pciu sn dimi
nucoe p sua re sibi daret et
cu hoc ptas reemedi rem
sua qn poss sibi ex sena cuilibet
succedet igit du ipe empto
in hoc casu dat venditori b9
iusto pcio p re sua pp t adiectaz
9dicois facit alti qd sibi non
vellet fieri et eciam qd sibi vellz
fieri no facit alti q re sic
q facit cont vtruq preceptum
legis ne Pte sedm hugone
pte et libro quibus sup ca o
v to hec duo precepta nalis
legis p lege scripta lacius
explicata sut et distincta
p alia septe precepta q 2 a
tabula 9tinebat in quibus
ondit quale se exhibere
debeat ho erga pximu quad
modu in tbus precedentibus
demostrat quale se exhibe
debeat ho erga deu Vnd
pz q emptor i tali pdicto
faciens cont precepta duo p
dicta legis nalis facit cont

septe precepta 2e tabule leg
dine de quibus Sco 1o p que
dicta et precepta nalis legis
distincius sut explicata q rursus
quasi i vnu redigens dns sal
uator nr Mt 1o dicebat oia
qcuq voltis ut faciat vob hoies
et ea vos facite eis hec est
eni lex et pphe Vn pz q in
tali 9tractu emptor facit cont
precepta mortalia semp stabi
lia et obligatia legis diuine
vtriusqz testamenti veteris et noui
in hys q ptinet ad dileccionez
pximi Pte talis facit cont precep
tu dileccionis dei que no ut det
diligit du dicto mo cont dileccoz
pximi facit Na ut dr j Joh
pto Qui no diligit frem suu
que videt deu que no vidz
quomo pt intellige et hoc ma
datu habemus a deo Qui di
ligit deu diligit et frem suu
Et ob hoc eciam apps paulus
p a thess sto ad maz illa sin
gulariter destedens dicebat
Ne qs supgrediat neqz circuue
at i negocio frem suu qm vin
dex est dns Pte j Joh 2o Qui
habuit sbaz mudi huius et vi
derit frem suu neccitate habere
et clauserit visera sua ab eo
quo caritas dei manet in eo
Sz in hoc casu emptor sbaz
huius mudi ht et vidz frem
suu neccitate habe vo ut 9pellat
sup se et hereditate sua re
suam vende a quo in
huane clausit visera sua
cu no solu no sit ei paratus
subuenire ul dando ul mutu
ando sz tamqz crudelis exactor
pxim vrgeat ad acci sup se

9rue onus an censue absqz ho
q recipiet equales i pcio et
ita absqz pietate ymo cu impi
etate supgredit frem suu
i negocio In tali itaqz 9tractu
refrigescit caritas et habudt
iniquitas homi eoz de qbus
in ps o 16o scribit Oclos suos
statuent declinare in terram
hc est sedm Aug m sup eudem
locu ps i intricatz cordis sui statue
rut declinare in ista trena
quoz utiqz finis intitus put dt
Aplus phil 3o Quibus eciam
vo 9minat ve qui 9iungitis do
mu ad domu et agru agro
copulatis usqz ad tmi loci Quibus
eciam Jacobus aplus ait agite
nuc diuites plorate ulula
tes in miseriis vris q supue
nient vobis thezaurisatis
vobis ita i nouissimis diebus Jaco
v to

Vbiu sedo fit an in huiusdi
contractu vbi venditor
angustiatus et neccitatus ve
dit sup se uel sup aliq re ul
possessoz sua vnu talentu reddi
tuu p 8 talent sub modis
expssis in pn o ca lo precedentis
licitu sit appone tale pena
q qncuq venditor no soluit
emptori i tmo assignato q
extunc emptor agat sup bo
illa sor viabus et i qsto tmio
iuridico sentenciet sibi q ptitus
census ia amplius sit ultra 18
dies debeat duplicare tam
diu donec illa bona no plus
valeat q census no solutus sit
multiplicatus et tuc ipsa bona
adiudicet emptori obtineda
libere et quiete p suo censu no
soluto Rn q appositio pene sedm

modū expssū in illa que in
iusta est penitus et iniqua
repugnās iuri nāli et diuo
quo quilibȝ hō obligatur ad re
leuādū pximū suū angustiatū
et nātūr. Sn querentēs hoc face
pt et sui interest t. Ptus aut
appositos pene et ad heredi
tandū et desumēdū et exime
angustiā tñ quasi redditꝰ impo
tens ad soluendū ttem censu
i termino pfixo ē eps omis
tus emptor ttem penam
adiciens impiꝰ est et crudelis
nec nō iniquus. Ita si iustꝰ
eēt cont̄ equitate iusticie
nālis et diue nō uellet ea
crudeliū absq̄ mīa agere
cū proximo suo de iusto dicit
i ps̄ 36o. Tota die miseret
et comodat et ibid. iustus
aut miser̄ et retribuet. Et si
dicis iustus p se quasi paup
est et inops quid g° retribuet
Resp̄ sedm Aug' i sedm eunde
locū ps̄ et si paup est tē sit
diues est tu tm ad diuicias
eius poos oclos intende. Re
spicis em̄ arcam mane ostiaȝ
deo plena nō respicis non
hūt potissiq̄ facultate si habȝ
mīs ɔ caritate et eum si habȝ
foris facultate dat ipsa caritas
Si aut nō inueit foris qd det
dat beniuolēciā pstat consiliū
si pt pstat auxiliū si pt ad
eximē sit nec auxilio nec
consilio adiuuās pt ul voto
adiuuat ut orat p tribulato
hec Augꝰ Ergo emptor ttem
pena adiciens ttem modū

nō seruat erga pximū sꝫ crudeli
igit nō est iustus sꝫ iniustus
et iniquus. Vn exodi 22. p
reptus dicit Si pecuniam
mutuo dederis pplo meo paupi
qui habitat tecū nō vrgebis
eū quasi exactor. Et scriptura ta
noui q̄ ueteris testamēti in hoc
sensu de nō grauando sꝫ potius
adiuuando et releuādo pxīm
habundat. qua ppt nō apparet
q in aliquo casu aliqs ad ttez
penā possit pcede licite nisi
in tali casu vbi venditor bn
eēt in soluēdo et ex maña ptina
censu solue nollet tuc forte
in pena ɔtumacie et ptinie
sue possꝫ con ipm sic pcedi Vt
tū videt q in tali casu empto
totū in quo venditor ɔdepnā
sibi possit imbursare sꝫ habito
illo toto qd suū est ɔsidādū da
dū sit paupibꝰ ul in aliquē
aliū vsū piū ɔuertendū t.

Dubiū octauū vtrū pn
ceps aliquis licite et
iuste sedm deū possit
statue q generaliter i toto suo
dominio in omi ɔtractu empto
et venditore redditum si emat
p psona siue psonis sui pro
ecclesia sui ecclesie ul aliturq̄
p diuis agendis officiis et
sic de similibus seruari debeat
modus in dubio sexti capituli
expssus ut sꝫ redditꝰ vniꝰ
libre emat̄ p octo lib cum
adiectione ɔdicionis redemde
tn q si 8 lib sut notorie et
notabilit̄ mīꝰ iusto pcio dād
consueto pro censu vnius
lib pcetuo quē in aliq̄ tra

seu dominio tuc nec impato
nec rex ul aliquis pnceps
ul dnꝰ illiꝰ terre pt licite et
iuste statue q huiusmodi ɔtrc̄ꝰ
ab omibus de illa tra uel
dominio redditꝰ emē ā vēde
volentibꝰ regulariter obseruetur
Pᵒ tūs ɔtractus sit mere volu
tario consensu venditoris ē
iniustus repugnās equitati
ɔmutatiue iusticie et legi diue
ut ostensū ē in solucione ad sextū
dubiū. Et q n venditor penuria
angustiatꝰ vendit in bonis
suis huiusmoi censū seu redditū
p tali pcio sꝫ censū vniꝰ libre
p octo lib que sut miꝰ iusto
pcio nō facit hoc ex consensu
uē volutario tū quātū in se eēt
vellet hre iustū pciū sꝫ facit
hoc ex vna pte neccitate vrgete
et ex alia pte statuto ɔstringete
Et ita licꝫ i sit ɔsensus aliquo
mō volutariꝰ sic dicꝰ de pici
ente merces i mare ne omo
piclitet in corpe vbi ē volun
tariū mixtū cū violēcia cōge
te nō tñ est i consensus mere
volutariꝰ igit ɔtractus ille qᵒ
adhuc est iniustus legi repug
nās nāe et diue sꝫ nec rex
nec impator aut pnceps ul
dns pt licite aut iuste aliqd
tale statue put manifestū est
cuilibȝ hnti vsū rōis Ita ut
dicit Aug' i pᵒ de libᵒ arbitrio
In tpali lege nil est iustū ā
legittimū qd nō ex eterna lege
hoies ē dimanauerit sꝫ quecūq̄
repugnat legi diue etiam
repugnat legi etne a qua

imme est lex diua vtriusq̄
veteris sꝫ et noui testamenti
Et ob hoc ecia diua sapia pu
viij. dicit p me reges regnant
et legū conditores iusta decernūt
Itē iudex ul pnceps sb ptate
supiori constitutꝰ a qua totū
eiꝰ dependet iudiciū ā domi
niū aut pncipatꝰ ul pt licite
aut iuste iudicare aut con
stitue qd excedit limites con
missos sibi a ptate supiori
aut q aliquo mō sit cōtrariū intē
tom aut ordinacionē supioris
igit nullꝰ iudex ul pnceps
terrenꝰ pt face iudiciū seu
statutū licite et iuste qd sit
repugnās legi diue que im
mediate expmit intencōz su
pme ptatis sꝫ diue cui oēs
pncipes et iudices finium
terre subdut. In talibꝰ g° iudi
ciis aut statutis diue legi re
pugnātibꝰ nulli pncipi aut iudi
ci obediedū est imo potius
resistedū. Vn Augꝰ in libᵒ 8 nā
bom Si illud iubeat ptas q
nō debeas face hic sane ɔtēp
ne ptatē timēdo ptate a° ex
ipos huanaꝝ rerū ɔdꝰ aduer
tere Si quid iusserit curato
nūq̄ faciedū est si con pposule
iubeat impator nūq̄ dubi
tat illo ɔtempto illi esse seru
iendū Ergo si aliud impato
aliud deus iubeat ɔtempto
illo obtpandū est deo. ptati
g° dyabli ul homis tuc re
sistimꝰ cū aliqd ɔ deū suggesserit
in quo dei ordinacōi nō re
sistimꝰ sꝫ obtpamꝰ. Sic em̄ deꝰ

precepit ut i malu3 nulli ptati
obediam9 Ite omis lex seu
constitucio huana iusta a lege
nali diriuat igit omis lex
uel institucio principis cuiuscu3
hominis legi nali contraria no
est licita neq3 iusta aute quia
i humanis rebus nichil est iu
stu aut rectu n sit conforme
regule rois Prima aut ro
regula est lex ne i3 Unde
omis lex humanit9 posita i tm
h3 de roe legis inquantu a lege
ne diriuat et e conformis roi
Si uo in aliquo a lege nali
discordat ia no erit lex sed
legis corrupcio hec est etia
snia sti Thome ia 2e q 94
articulo qrto

Dubiu nonu an princeps
statuere possit licite de
censibus an statutum
illud sm compatis siue ppe
tuo siue ad redemptu p precio
iusto condito in contractu q gnar
quilibz venditorz huiusmodi
redditum aut aliqs de here
dibus suis ptatez habeat re
dimendi redditu3 huius ita q pt
p 8 lib denariorz wien redime
possit vnu talentu redditum
Rndr q princeps p nullu statu
tu suu pt licite et iuste face
uel ordinare q gnar vigore
statuti census cum illis statu
ti edicoz compati redimi uel
redimi possit p viij lib vna
a venditoribz uel heredibus
venditorz illorz censum emptio
eis placet siue placeat sz
displiceat emptoribz quia princeps

cum bona immobilia ut sunt
domus agri vinee uel alie pos
sessiones ac etiam census redditus qui
etia int immobilia sedm iura
computant ut pz in clementina
exivi de verborz signe prohibel ex statut
et gnar statuere uel disponere pt
i preiudiciu eorz quorz pnt interest
quorz demerita no exigunt ut
puniant nec euidens vtilitas
aut necessitas i republica uel alijs
negocijs uel factis ppl quam
vtilitatem iusto gravari debeat
adoc compellit et ro est q tollet
ius alterius sn roe ca q facere
no pt cu sit contra dictamen
nalis rois ut notu e sz hui
statutu eet preiudiciale multis
qui hnt et diu habuerunt redditus
ppetuos p iusto precio sz vigniti
uel pluribz libris compatos n
eorz demerita hoc exigunt sz
multa redditus prius compati sunt
ex hijs et roe huius causis p fundacoe
ecclesiarz monasteriorz hospitalium
p sustentacoe pauperu debitum
uel personarz bn meritarz et vti
lium in republica sz impium
iniustu et iniquum esset illos
fundacores et prisiones p aliqd
tale statutu posse destruere
aut irritas face sz princeps
secularis nulla ptatez faciendi
aliqd tale statutu uel aliqua talez
ordinacoez que iuste arcere a
ligare possit personas ecclia
sticas aut res earz a ecclias
uel res earz etiam eorz ut
vtilitatem ecclarz contenat nisi
p ecclesia fuit approbatu ut pz
96 d ce Bn quidem et d consti
ecclia sancte marie li et Ite

si aliq de talibz redditibus
essent compati cu adiectione
condicionis reemendi p iusto precio
iniustu eet emptores compelli
posse p aliqd tale statutu ad
recedendu tales censue p precio
minori iusto Dixi aut non
gnalit et regalit q in certis
casibus forte princeps hoc face
poss quo ad illos sup quos ple
na iurisdico sz quo ad laycos
tm sz in hoc appareret euidens
necessitas aut reipublice vtilitas
a etia constare poss de fraude
commissa in tractatu et de mani
festo gravamine aut de nimia
multiplicacoe redditum talium
precipue habitorz uel possessorz p
tales homines quos no expedit
nec vtile est reipublice de
talibus redditibz confoueri

Dubiu decimu an licitum
sit de talibus redditibus
fundare altaria capellas
ecclesias missas monasteria a
alios diuinos cultus qui talibus
redditibz pagant aut etia monasteria
hospitalia et huiusmodi Rndr q
no qn in contractu empcois inclu
dit oppositio illius pene seu obli
gacionis ad penam de qua in 1mo
capitulo visu est Pz cu talis
pena seu obligacio ad illam
sit crudelis et impia ut supra
visu est in solucone questionis
1me precedentis Sz velle placare
deu cu crudelitate et impietate
ad proximi quid aliud est nisi
deu uelle face auctore crudelit
et impiet et ipm i nobis dilige
crudelitatem et impietatem

quod est contra illud Osee vi et mat
volo et no sacrificiu Quod etiam
allegat xpus dne cht q et 12
talis contra phariseos sicut ipius
pia dictorz q eius calupniatores Si
aut in contractu empcois talium
redditum no appoitur talis pena s
tm 8 lib sunt nor et notorie mag
iusto precio dari consueto p cesu
seu redditu vnius libre tunc
cum contractus ille sit ex consen
sus voluntario ipsius venditoris
qui voluntarius est etia d suo
dare ad hc q redditus tales vei
ut ad cultu diuinu uel quecuq
aliud piu usu et tunc contractus
est licitus put patuit i solucone
sexti dubij precedentis Dico e
tm q redditus sic empti cu con
dicione reuendendi no sunt apti
ps cultu diuino ppetuando uel pro
alia pia prisioe p ppetuo
fundanda aut p collacionis bnfi
cijs ecclasticis cu bnficia ec
clesiastica debeat ee ppetua
i in ppetuu titulo constituta
ut3 1mo contra Petrorz et 44
distincoe precepta Richel tm pluribz
talibz redditibz institui cultum
diuinu puta missa uel anniuer
sariu uel huiusmoi ad decenni
uel aliud tempus in aliqua ecclia
et ministris huiusmoi cultus
de talibz redditibz puidere Sunt
contractus tales sit sn consensu
sus voluntario venditoris
qui angustiatus compellit tales
redditus vende sup se et sup
bona sua pro precio minori iu
sto ita q ex parte cogit eum
indigentia et ex alia parte

emptorum avaricia et improbi-
tas sew impietas qui propter
adiectionem condicionis remedii non vult
dare iustum precium et ex tunc parte
regit. Cum constitucio principis ini-
qua et ita licet in talem contractu
consenciat non tamen ille consensus
est mere voluntarius sed volun-
tarius mixtus coaccione et
violencia qualis eciam est in
illo qui proicit merces in mare
quod utique non faceret imminente
pericli compulsus et tunc sicut supra
visum est contractus est illicitus
et iniustus repugnans legi nature
et divine. Secundo quia non est licitum de
talibus redditibus etc. compatis
fundare capellas altaria etc.
Nec excusari possunt ementes
a peccato per hoc quod redditus tales
emunt ad pium usum vel per hoc
quod movetur zelo divini cultus
que constitucione principis obsta-
te aliter redditus institui aut
augeri non potuerunt quia secundum
Apostolum Ro. iii° non sunt facienda
mala ut eveniant bona scilicet
illa que sunt per se peccata et mala
propter nullas causas quantumcumque
bonas sunt facienda ut patet
per Augustinum in libro contra mendacium
et probat eciam per hoc quia si quis
diceret ea que secundum se sunt peccata
ut furta stupra blasphemie propter
causas bonas esse facienda quid
est aliud hoc dicere quam talia peccata
non esse vel quod absurdius est iusta
peccata esse. Omne namque factum vel licite
fit vel illicite propter quamcumque causam
eo ipso quo est faciendum est iustum

et eo ipso quo est licite fit vel
non est peccatum. Quis enim dicat
furem divitibus ut habeat
quod debemus pauperibus aut falsa
testimonia proferamus non unde
innocentes ledatur sed potius
solveretur. Aut quis dicat adul-
terium esse faciendum ut per illa
cum sit homo liberetur de morte.
Quis hoc dicat nisi qui res
humanos mores quod conatur et
leges subvertere. Nec enim factus
non dicat posse recte fieri nunc iniq
tamen vim eciam glosse ut in eo non
timeat supplicium sed speret
et premium si semel gressimus
in malis actibus non quod fiat
sed quare fiat esse querendum ut quan-
tumcumque pro bonis fiunt causis nec
ipsa male esse iudicet. Sed supra
ostensum est quod contractus talis secundum
se peccatum est cum repugnet di-
recte legi divine et naturali ergo
propter nullam causam quantumcumque piam
et favorabilem sive sit ad
augmentum divini cultus vel
ad aliud pium usum fieri debet
nec promotatio sed deus non vult
coli sive ut cultum suum augeri
per rem peccatum et proximi preiu-
dicium aut dampni quorum utrumque
fit in tali contractu ut patet ex
prehabitis. Tercio per hoc oppo-
to sequeretur quod deus vellet nos
peccare et pro nimio nostro in
iusticiam irrogare ut ipse ex
hoc glorificaretur et sua gloria
per hoc augeretur apud nos et
magis manifestaretur quod est
erroneum et ab apostolo Ro. iii°

tamquam blasphemum reprobatum.
Nam secundum glossam super textum apostoli
ibidem: Erat quidam qui dicebat
deum nos velle peccare ideo ut
ad comparacionem nostri iusticie appareret
et dum peccatum nobis dimitteret quam miseri-
cors sit patefaceret. Dicebant
eciam eum nos velle mentiri ut
ipse solus verax inveniretur
quasi ita esset iniuste ab illo dampna-
narentur occasionem autem talis errori
erebat a dicto prophete in psalmo dicentis:
Tibi soli peccavi et malum coram
te feci ut iustificeris in sermonibus
tuis etc. Sunt talia loquitur Apostolus
quia sensus ille non habet ex verbis
prophete sed malivolorum hominum prava
interpretacione extorquet asserere-
tium quod peccata hominum et mali actus
ad dei iustificacionem proficiat et
per malum nostram iusticie appareat
et iniusticia nostra iusticiam illius oste-
dat et ita dicitur deum uti ma-
lis nostris quasi instrumento
ad gloriam suam. Sunt quos ar-
guit apostolus dicens: Si autem in-
iquitas nostra iusticiam dei commendat
quid dicimus numquid iniquus est deus
qui infert iram in puniunt peccata
quasi diceret si iniusticia nostra
eo proficit ad hoc quod sua iusticia
reddatur commendabilior tunc si deus
iniquus est inferendo vindictam
pro malis qui vult ut faciamus
ad gloriam suam. Et iterum apostolus
subdit: Si veritas dei in meo
mendacio habundat in gloriam
ipsius quid adhuc et ego tamquam
peccator iudicor quasi diceret: Si ad gloriam
dei proficit mendacium hominum ut ille
solus verus appareat peccatores

non sunt dicendi qui peccant
quia non voluntate sed impulsu eius
videbuntur peccare quod absit etc.
Nec sit sicut est cur non faciamus mala
ut eveniant bona sicut eciam quidam
blasphemantes dicebant apostolum
dixisse quorum dampnacio iusta est
prout ipse circa eos dicit ut supra.
Ex hiis patet quam seriose et pondorose
reprobat et extirpare conatur
errores carnalium hominum estiman-
cium per hoc excusari hominem a peccato
quod ea quam facit licet sit mala et
legi divine repugnancia in tunc inde
facit ut inde gloria dei et mina
et iusticia manifestetur et appa-
reat aut eius cultus inde auge-
atur etc. Hoc eciam per racionem quod cum homo
sit compositus ex anima et corpore
utrumque applicandum est ad colendum
deum et secundum hoc duplex debet
esse cultus quo homo colit deum
scilicet interior pertinens ad animam
et exterior qui exercetur per corpus
iuxta illud psalmi: Cor meum et caro
mea exultaverunt in deum vivum
et sicut corpus ordinatur in deum
vivum per animam ita cultus exterior
ordinatur in deum per cultum interio-
rem. Consistit autem cultus interior
in hoc quod anima coniungit deo per intellectum
et affectum quantum potest videndo et
contemplando et ipsum super omnia
diligendo eique in ara cordis ho-
stiam laudis igne caritatis accen-
sam offerendo per hunc in cultum
interiorem ordinandus est in deum
cultus exterior nec placet deo
cultus exterior qui de per se non est
acceptus deo sine cultu interiori
qui semper de per se gratus est et acceptus

de Sed qui emunt predicto modo
redditus ad augmentandum cultum
divinum exteriorem tunc deficit cultus
divinus interior a quo recedunt
ementes per iniusticiam quam facit in
contractu qui est ultra dilectionem
dei et proximi. Unde non est ab illis
acceptus deo cultus exterior.
Item omnis cultus exterior deo
exhibendus in ecclesia militanti
ordinari debet et referri ad
dilectionem dei et proximi. Igitur cultus
divinus exterior non est instituendus
nec augendus per talem vel tali
modo redditum emptionem in qua
emptione vel emptionis modo agitur
contra dilectionem proximi et per consequens
contra dilectionem dei. Unde sic dicit
i. Joh. 4to Si quis dixerit quia
diligo deum et fratrem suum oderit
mendax est. Qui enim non dili-
git fratrem suum quem videt deum
quem non videt quomodo potest diligere.
Et ex superdictis apparet quod si in
contractu emptionis redditum hu-
iusmodi de quo nunc loquitur contra
dilectionem proximi agitur in [illegible]. Item
ex hoc notum est quod in illis duobus
preceptis de dilectione dei et proximi
tota lex dependet et prophete
ut habetur Mt. 22o. Unde quicquid lex divina
de cultu exteriori divino iubet et
vult fieri hoc ad dilectionem dei et
proximi vult inferri et ordinari.
Hoc etiam declarat Augustinus li. x de
ci. dei ca. vto de cultu exteriori
divino qui fiebat in veteri lege dicens
nec quod ab antiquis patribus
alia sacrificia facta sunt victimis
pecorum que nunc populus dei legit
non tamen facit ad intelligendum nisi
rebus illis eas res signifi-
catas fuisse que aguntur in
nobis et hoc tamen ut inhereamus
deo et ad eundem deum finem proximo
consulamus. Item ibidem quoque in ministeria
tabernaculi sive templi multis
modis de sacrificiis leguntur divinitus
esse precepta ad dilectionem dei et
proximi fundo referuntur. In hiis
enim duobus preceptis ut scriptum est
tota lex dependet et prophete.

Questio xi. an redditus secundum
modum predictum empti
pro ecclesiis vel altaribus
vel missis vel monasteriis et ita
similibus sint ydonei divino cultui
et possint sine peccato retineri.
Dicendum quod huiusmodi redditus empti
modo predicto cum inclusione illius pe-
ne dupli de qua dictum est pro
missis monasteriis ecclesiis vel
altaribus vel quibuscumque aliis
ad divinum cultum vel pium usum
pertinentibus instituendis vel fun-
dandis non sunt ydonei vel congrui
divino cultui nec possunt sine peccato
cum inclusione illius pene retineri.
Illud patet ex dictis in prima parte
solutionis questionis immediate precedentis.
Si autem in tali contractu emptionis
talis non apponitur pena scilicet
ad octo libras sint nos et notorie
unius iusto precio dari consueto
pro censu seu redditu unius libre
tunc dicendum est quod aut contractus
ille fit ex consensu mere volun-
tario ipsius venditoris eo modo
quo dictum est in 2a parte solutionis
questionis precedentis et tunc huiusmodi
redditus congrui sunt pro cultu
divino et possunt sine peccato retineri.
Si autem contractus talis fit sine
consensu mere voluntario venditoris
eo modo quo dictum est in tercia
parte solutionis questionis precedentis
tunc sine suppletione rectitudinis
equitatis et iusticie que in tali
contractu defuerunt et remotione
obliquitatis iniquitatis et in-
iusticie que in eo fuerunt non sunt
redditus illi divino cultui congruentes
nec possunt sine peccato retineri. Suppletio
autem huiusmodi et remotio hoc
modo videtur posse fieri quod cum heredibus
a quibus empti fuerunt tales
redditus vel cum eorum heredibus aut
aliis quorum interest sic tractetur et agatur
quod ipsi sint contenti sponte et ex mera
voluntate pure propter deum renunciando
iuri suo quod eis competit quo ad hoc
quod in contractu emptionis defecit de
iusto precio et etiam quo ad fructus
medio tempore sublevatos quos
in hoc casu credo emptores secundum
veram equitatem iusticie et legem
dei debere computare in sortem
et ita venditores ad eos ius
habere ut eos in sorte computaret
nisi sponte renunciaret iuri suo
quod si fecerint tunc secure possunt
huiusmodi redditus retineri. Si
vero hoc facere noluerint sed ad ri-
gorem equitatis et iusticie pro-
cedere voluerint tunc aut de pe-
cunia tantum est eis superaddendum
quod vero sint et debeant esse contenti
aut redditus sunt eis reddendi
recepta pecunia pro qua sunt empti
ita tamen quod secundum legem divinam que
ponitur Levitici 25o computentur fructus
ex eo tempore quo redditus sunt ven-
diti et quod reliquum est reddatur
emptoribus quod impendatur pro divino
cultu vel alio pio usu prout po-
tuerunt modo licito et iusto ne
committendo aliquod illicitum ad pla-
candum deum. Si vero venditores
non habent unde tales redditus
redimant modo iam dicto vel redi-
mere nolint tunc habeant emptores
eos quousque de fructibus perceptis
habeant totum capitale quod in primo
contractu exposuerunt et tunc
redditus libere ad venditores
revertantur etc.

Questio duodecim quid si ex
statuto seu ordinacione
principis bona res iura
cultus divini et alia bona statu-
tum statum ecclesiarum antiquitus reddi-
tibus iuste fundatarum concernencia
sit distracta dissipata et di-
minuta nunquid non illa sint re-
formanda et in statum pristinum
reducenda etc. Dicendum quod iusticia talium bonorum
rerum distractioni dissipationi et
diminutioni repugnat prout visum
est in pluribus dubiorum certa-
mini et [illegible] presentium iusticia
vero in quadam equalitate consistit
que reparari non potest nec per resti-
tutionem iniuste ablatorum et con-
servare iusticiam seu iusticie equi-
tatem et abolere iniuste inequa-
litatem sit de necessitate salutis sequitur
quod de necessitate salutis sit ut omnia
bona et iura ecclesiarum de quibus
queritur quod reformentur et in statum
pristinum reducantur et sic distractio
dissipatio et diminutio talium
bonorum et iurium et divini cultus etc
est crimen sacrilegii commissum per iniustam
ablationem rei aliene igitur de necessitate
salutis est ut talia bona et iura etc
restituantur reformentur et integrentur
ad pristinum statum reducantur quia
pro illa vel[illegible] [illegible]. Augustinus
non enim dimittitur peccatum nisi restituatur
ablatum etc. quod secundum glo. sup

illud ps. 68. Deus venerunt
gentes in hereditatem tuam
polluerunt templum sanctum tuum
primo intelligit iniuria templi
in quo est contumelia et in hoc
arguit eos de sacrilegio unde
patet quod iniuria ecclesie vel ecclesiarum
est contumelia dei et sacrilegium
sed in casu illius questionis maxima
est iniuria ecclesiarum iste Thomas in
2a 2e q. 99 articulo 3o distinguens
species et gradus sacrilegii in
certa dicit quod primum sacrilegii
consistit in hoc quod aliquis irreverenter
se habet ad rem sacram inter
res autem sacras sunt persone
sacre i. divino cultui dedicate
Sed 2o loca sacra Sed 3o alie
res sacre inter quas summum
locum obtinent ipsa sacramenta
quibus homo sacrificatur 2m locum
tenet vasa consecrata ad sacrorum
susceptionem et ipse ymagines
sacre et sanctorum reliquie in quibus
quodammodo ipse persone sanctorum honorantur
vel dehonorantur Deinde ea que
pertinent ad ornatum ecclesie et
ministrorum Deinde ea que sunt de
putata ad sustentacionem ministrorum
sive sint mobilia sive immobi-
lia De omnibus hiis concludit
iste Thomas dicens Quicumque
autem contra quodcumque predictorum peccat
crimen sacrilegii incurrit Sed in
casu questionis nostre contra omnia pre-
dicta peccatur et sacrilegii crimen
incurritur Opus est igitur ut omnia
de quibus questio querit estimatur
reformentur et in pristinum statum
reducantur et ultra hoc dampna
que ecclesie ex dissipacione

bonorum et iniuriis sustinuerunt
refundat Sacrilegii et omnes
qui sacrilegio opere i. causa et
accionem dederunt velut dupliciter
puniantur scilicet in foro spirituali con-
fessione et contritione et in foro ex-
teriori pene superaddite unde
in decretis 17 q. 4 dicitur Quis
inventus fuerit reus sacrilegii
30 lib. argenti examinati purissimi
componat Et allegat hoc idem
Thomas 2a 2e q. 99 articulo 4to
ubi etiam dicit quod secundum leges hu-
manas quilibet sacrilego capi-
tis pena Sed quia ecclesia sancta
que mortem corporalem non in-
fligit prohibet pecuniaria cum
severo pena ut saltem penis temporalibus
a sacrilegio homines revocentur
cum omnia autem pena excommunicacionis
pro sacrilegio infertur Sed quia multi
eam non retinent nec timent
ideo opus fuit etiam alias
penas temporales ad coherendum
homines a tanta malicia ad
hiberi etc.

Verum quis adhuc
reformacionem et restitucionem
illa qua precedens querit
questio teneatur hinc pro responsione
sciendum quod secundum Thomam 2a 2e
q. 62 articulo 1o ad restitucionem
tenetur aliquis non solum racione
rei aliene quam accepit sed
etiam racione iniuriose accepcionis
et ideo quicumque est causa iniuste
accepcionis tenetur ad restitucionem
Sed quid querit dupliciter scilicet directe
et indirecte Directe quidem indu-
cit aliquis alium ad accipiendum et hoc
quidem tripliciter primo quidem movendo

ad ipsam accepcionem quod quidem fit
precipiendo consulendo consenciendo
expresse et laudando aliquod
quasi strenuum de hoc quod aliena
accepit Alio modo ex parte ipsius
accipientis quia scilicet eum receptat
vel qualitercumque ei auxilium fert
Tercio modo ex parte rei accepte
quia est scilicet particeps furti vel rapine
quasi socius maleficiorum Indirecte
non cum aliquis non impedit cum possit
et debeat impedire vel subtrahit
preceptum sive consilium impediens
furtum sive rapinam vel quia subtra-
hit suum auxilium quo posset ob-
sistere vel quia occultat postquam factum
que hiis versibus continetur iussio
consilium consensus palpo recursus
participans mutus non obstans
non manifestans Sciendum tamen quod quinque
ipsorum semper obligantur ad restitucionem
primo iussio quia scilicet ille qui iubet est
principaliter movens tamen ipse principaliter tenetur
ad restitucionem 2o consensus in eo scilicet sine
quo rapina fieri non potest Tercio re-
cursus quando scilicet aliquis est receptator
latronum et eis presidium prestat
Quarto participacio quando scilicet aliquis
participat in crimine latrocinii et
in preda Quinto tenetur ille qui non obstat
cum obstare teneatur sicut principes
qui tenentur custodire iusticiam
in terra scilicet per eorum defectum la-
trones increscant ad restituendum
tenentur quia redditus quos habent
sunt quasi stipendia ad hoc institu-
ta ut iusticiam conservent In aliis
autem casibus enumeratis non semper
obligatur aliquis ad restituendum
Non enim semper consilium vel adulacio
aut aliquid huiusmodi efficax causa
est rapine In hoc solo tenetur

consiliator aut palpo i. adula-
tor ad restitucionem quando probabiliter
estimari potest quod ex huiusmodi causa
fuit iniusta accepcio subsecuta
Ex hiis ergo ad dubium illud quod
ad huiusmodi reformacionem et
restitucionem tenetur non solum illi qui
redditus ecclesiarum de quibus
hic agitur secundum constitucionem princi-
pis redemerunt Et ex hoc imme-
diata diminucionis divini cultus
et aliorum bonum statum respicientium
fuerunt sed etiam ipse princeps cum
restitucione vel auctore vel defen-
sione aut etiam permissione talia
facta sunt necnon etiam ipsius con-
stitucionis executores omnes
qui ad huiusmodi execucionem presta-
tores directe consilium auxilium
aut favorem ex quibus huiusmodi
iniuriosa execucio est subsecu-
ta patet ex premissis in notabili
premisso Omnes autem predicti tenetur
in solidum ad huiusmodi restitucionem
et reformacionem et quo ad hoc
talis ordo servandus est et illi
qui huiusmodi redditus ecclesiarum
emerunt et bona ecclesiarum
perceperunt atque ex hoc imme-
diata causa diminucionis divini
cultus et iuris et aliorum
bonum statum ecclesie respicien-
cium fuerunt compelli debent per
principem et per eos qui executores
predicte constitucionis fuerunt atque
per eos qui ad huiusmodi exe-
cucionem prestiterunt consilium auxilium
aut favorem directe et expresse
Omnes namque isti ut premissum
est tenentur in solidum ad huiusmodi
reformacionem et restitucionem faciendam

aly no tenet et qz principe
ad hanc reformacoz et resti
tucoz tenet illi qui principales
sut in facto et ad quos res
ecclesiarum peruenerunt principes
et aly qui quanti ad idem obligatur
quod diu non est facta reformacio
et restitucio dicunt se multum
solliciti ad liberandum aias
suas quod fieri potest si compellunt
alios ad satisfaccionem. Vnde et sapiens
prouerbiorum vi° et principes et quilibet
talis illaqueatum pater
docet et amonet dicens fac
ergo quod dico fili mi temet ipsum
libera discurre festina suscita
amicum tuum ne dederis sompnum
oculis tuis nec dormitet pal
pebre tue eruere quasi damula
de manu et quasi auis de insidys
aucupis. Sed quid si illi principa
les sunt mortui vnde quis compellendi
sunt ad satisfaciendum heredes
eorum aut aly quicunque ad quos
eorum bona peruenerunt. Sed esto
quod nec principales nec aliqui eorum
heredes aut bonorum eorum principes
inueniantur aut si inueni
antur non sint in soluendo. Dico quod
hoc casu ad plenam refeccionem
et restitucionem tenetur princeps
qui talem constitucionem de qua
nunc agitur fecit si superstes est. Si uero
defunctus est tenentur eius heredes
proprie aut principes ei in here
ditate et principatu succedentes
et hoc ex triplici causa. Primo
scilicet racione hereditarie succes
sionis et proprie heredi
tatis qua obligatur ad satisfaciendum

pro omnibus debitis contractis per
illum cuius hereditas ad ipsum est
deuoluta. 2° racione defensionis
et manutenencie constitucionis
inique per quam data est licencia
dissipandi et distrahendi ecclesiarum
bona et iura et alienandi diminu
diminuendi. 3° racione permissionis. Vnde
et si prime due cause non essent
adhuc 3° sufficiet obligaret
principem cum ex officio et statu
incubit obstare talibus mali
cys et iniquitatibus quibus manifeste
diuino honori derogatur
et res publica perditur et
multi subditorum suorum grauantur
depauperantur et destruuntur. Propterea
hoc enim principes potestate publi
ca potiuntur ut sint iusticie cu
stodes et iniusticiam a iniquitatibus
recessione non permittant et istud
in summa ponit S. T. vbi supra
in 2a 2e q. 62 articulo 1° et istud
clare habetur fundatum in dictis
apostoli Ro. 13 vbi potestate princi
pum dicit esse a deo ut sit timori
non hys qui sunt boni operis sed
hys qui sunt mali operis id est qui
male agit vnde glo. principes
instituti sunt ut mala puniant.
Et iterum idem apostolus dicit de prin
cipis potestate si male feceris
time non enim sine causa gla
dium portat vbi per gladium intelligitur
potestas iudiciaria. Et subdit
apostolus dei enim minister est vindex
in ira ei qui malum agit id est minister
dei est ut sit vindex
in ira id est in offensa dei vindi
candum et ad infligendum pe
nam ei qui malum agit. Ite

super commissum est in p° nobis
redditus quos habent principes
sunt quasi stipendia ad hoc con
stituta ut iusticiam conseruent in
terra. Sed et apostolus vbi supra
subditos ad obedienciam prin
cipum prouocans eciam tangit
hanc racionem dicens. Ideo et tributa
prestet ministerium prestet dei sunt
in hoc ipsum seruientes. Vnde patet
quod principibus dant tributa ad
hoc ut ipsi tanquam dei ministri su
stententur ad seruiendum deo in
gubernando subiectos et insti
tiam quam deus precepit custo
diant et conseruent iniquitatem que
dei preceptis obuiat vindican
do et comprimando. Vnde prouerbiorum 20 dicitur
Rex qui sedet in solio iudicy
iudicium dissipat omne malum
intuitu suo. Et prima petri 2° sub
iecti estote omni humane creature
propter deum quasi sinn regi quasi
precellenti siue ducibus tanquam
a deo missis ad vindictam male
factorum laudem vero bonorum. Qua
propter contra principes iusticiam
non obseruantes inuehitur sapiencia
Sapiencie vi° dicens audite ergo
reges et intelligite discite iu
dices finium terre prebete aures
vos qui continetis multitudines
et placetis vobis in turbis nacionum
quoniam data est vobis potestas a
domino et virtus ab altissimo
qui interrogabit opera vestra et
cogitaciones scrutabitur quoniam cum essetis
ministri regni illius non recte
iudicastis neque custodistis le
gem iusticie neque secundum volu
tatem dei ambulastis horrende

et cito apparebit vobis quoniam
iudicium durissimum in hys qui
presunt fiet. Ecce hys que consulendum
est principibus et alys in potestate
super alios constitutis in quorum
terris facte sunt huiusmodi con
stituciones de quibus in octauo et
nono dubys precedentibus determinatum
est que quasi pro lege seruatur
siue huiusmodi constituciones sint per eos
facte siue per antecessores eorum
et ipsi huiusmodi constituciones cassa
re festinent et omnia attemptata que
ex huiusmodi constitucionibus
in contractibus et varys in
vicis peruenerunt corrigant et
iniquitatem que viget in contractibus
dissipent et ad iusticie equitatem
sapientem et deum timentem con
silio reducant omnia in talibus
obseruanda nec sint in hys ne
gligentes aut desides quod nimia
quo ad hoc est ipsis ingran
de malum et periculum animarum. Item
attendant hys omnes talium constitucionum
executores et omnes qui ad
huiusmodi execuciones consilium
auxilium fauorem aut operam
dederunt vel dant quod quamdiu non
est satis factum in hoc casu per
principales ad quos res ecclesie de
uenerunt nec per principes quod tam
diu ipsi manent obligati ad
totum et si ipsi non satisfecerunt
nec laborauerunt ad hoc cum
effectu quantum in eis est ut satis
fiat per alios ipsi animarum suarum
salutem negligunt et in statu dampnacionis
sunt et dampnabuntur.
Vnde et contra ipsos omnes et eciam
contra principes est illa sententia

ab apostolo lata [?] digni sunt
morte non solum qui faciunt
ea sed etiam qui consentiunt fa
cientibus [?] glo. consentire est
tacere cum possis arguere vel errorem
adulando fovere dicit autem ille
se posse arguere ad quem pertinet
ex statu aut officio ut argu
at et constat quod hoc pertinet ad
principem igitur cum ipse in talibus
tacet consentire videtur [?] aut
sed aliquis tales constitutos coerci
tores et quasi adulando fovere
videntur prelatos de quibus est pre
dictum etc.

Dubium 15m an principes et
alii de quibus dictum est
possint aut potuerint
in casu predicto excusari a
peccato per ignoranciam [?] quod non
et racio est quia neminem usum racionis
habentem et contra ius naturale
et ius divinum precipue in hiis que
ad salutem pertinet ut sunt precepta
dilectionis dei et proximi facien
tem excusat a peccato ignoran
cia ipsorum iuris scilicet naturalis et divini
aut utriusque [?] in talibus si quis
ignorat ignorabitur. prima Cor.
14 [?] predicta constitucio et ipsorum
execucio et manu tenencia seu
defensio aut ad exequendum
favor et promocio est directe
contra ius naturale illud scilicet quod tibi
non vis fieri alteri ne facias
et similiter contra illud [?] quecumque vultis
ut faciant vobis homines eadem
et vos facite illis et tercio est
contra ius divinum quia est contra precep
tum dilectionis dei et proximi ut appa
ret ex porcionibus dictis et precipue
in solucione sexti dubii predicti etc.

Dubium 16m an prelatis
et ecclesiarum rectoribus
in casu isto veritatem
ignorantibus vel dissimulantibus
tacentibus nec non sciencium
ecclesiarum perdicionem aut iudicia
[?] agendo prosequentibus vel
etiam voluntarie in huiusmodi rerum
et iuriam ecclesiarum distraccionem
et dissipacionem consentientibus layca
lia in preiudicium ecclesiarum
facientes in conscientia sint salui
ita ut absque satisfactione debita
ad ecclesiarum reformacionem re
quisita sint in via salutis et
possint saluari [?] quod non racio
est [?] dicit Christus si cecus du
catum prestat ambo in foveam
cadunt igitur ignorancia prelatorum
et ecclesiarum rectorum in casu isto
laycalem potestatem non excusat
presertim cum in hoc casu agatur
contra ius naturale et ius divinum in
quo nullum usum racionis habentem
a peccato excusat ignorancia ut
patet ex solucione precedentis
dubii nec etiam excusat laycalem
potestatem in hoc prelatorum et ecclesiarum
dissimulacio vel negligencia quia
Ezechiel iij° dicitur de impio cum
per speculatorem domus domini
non est annunciata via sua quod ipse
impius in iniquitate morietur unde
Christus super illud Mt. 23 Ve vobis
scribe pharisei ypocrite qui clau
ditis regnum celorum ante homines
Queritur dicens [?] Numquid ignorans
plus excusabilis erit
et [?] absit quia si propter
utilitatem aliquam vel caritatem
iudicialem preferisti volens
ad aliquem locum cuius viam
ignoras numquid propter ignoranciam

discedis a prefinito proposito [?] Non
sed expectas nunc ista via nunc illa
et quos inveneris interrogas et ca
vere non rogas et promittis et
si nolles scripturarum ingredi veri
tate nunc peteres oracionibus
nunc quereres in scripturis nunc
pulsares bonis operibus nunc in
terrogares sacerdotes nunc
istos nunc illos qui viri sunt
claustrarii scripturarum et qui
falsi [?] illa non fuit quia verbum
dei non credit quia nec promissio
beatitudinis eius desiderat
nec iudicium consumacionis eius
timet [?] ille vero patet quod velit in
via salutis errat et hoc quod
non celestia sed terrena desiderant
non querunt futura premia beatitudinis
sed presencia lucra quibus thezau
risant sibi iram in die ire et sanas
tice dampnacionis tales non sunt
de quibus apostolus ad Philipp 2°
omnes que sua sunt querunt non
que Ihesu Christi etc.

Dubium 16m an prelati et
rectores ecclesiarum in
hoc casu dissimulantes
sint ad satisfaciendum obligati
et obnoxii videtur quod sic et racio
patet ex dictis in solucione
dubii 13 ubi dictum est quod cum ille
qui tenetur obstare dampno quod
infertur non obstat ad restitucionem
tenetur propter hoc etiam cuilibet
negligenti prelato et rectori
dicit Ezechiel 3° Si dicente me
ad impium morte morieris
non annunciaveris ei neque locutus
fueris ut avertatur a via sua impia
et vivat qui de iniquitate
sua morietur sanguinem autem eius
de manu tua requiram etc. et
in simili habetur Ezech. 33° etc.

Dubium 17m an in conferre
etiam in restitucione huiusmodi
rerum et iurium ecclesiarum
moram facere possit seu dilacionem
illi qui ad ea tenetur de quibus
predictum est [?] quod non sed statim
tenetur huiusmodi iura et res
ecclesiarum restituere et ad hoc
facere quod ecclesie in suis rebus
et iuribus et aliis ad bonum
earum statum pertinentibus plenarie
fruantur etiam omnia dampna que
passe sunt recompensent nisi
ex causa racionabili dilacionem obtinere
possit ab illis qui potestatem
sunt concedendi racio est quia sicut
accipere rem alienam est peccatum con
tra iusticiam ita etiam detinere eam
invito domino quia per hoc quod aliquis
detinet rem alienam invito
domino impedit eum ab usu rei
sue et sic ei facit iniuriam
Manifestum est autem quod nec per
modicum tempus licet alicui in peccato
morari sed quilibet tenetur statim
deserere secundum illud Eccli 21° quasi
a facie colubri fuge peccatum et
ideo quilibet in casu predicto tenetur
statim de huiusmodi de qua nunc
agitur reformacionem et restitucionem
nisi tamen ex causa racionabili dilacionem
obtinere possit ab eo qui potestatem
habet concedendi et est simile [?] S. T.
in 2a 2e q. 62 articulo 8uo etc.

Dubium 18m utrum pecunia
usuraria transeat in dominium

usurarius ea recipiet. Super hoc
dubio sunt doctores varii. Qui-
busdam dicentibus quod in usura
dominium pecunie usurarie trans-
ferat in recipientem ipsam usuram
sed illi qui dedit competit repetitio.
Et hec est sententia quorundam doctorum
iuristarum qui in hac parte
se fundant quod omnis volun-
taria datio facit transferri do-
minium sed usure dantur volun-
tate conditionata quia scilicet potius vellet
velit sorte dare quam mutuum non
accipere et ita usura solvitur
a volente ex conditione. Et hec
est sententia Gamfredi in summa
sua titulo de decimis et hoc
idem apparet in glossa 14 q. 4ta si
quis usurarius. Et per Reimundum
in summa libro 2o Rubrica in Utrum
de illicite acquisitis possit fieri
elemosina. Hoc idem etiam tenent
aliqui doctores theologie scilicet Petrus
de Tharantasio cum distinctione
4ta sententiarum q. 2a articulo
2o parte. Sed Thomas super 4to sententiarum distinctione
15 q. 2a articulo sexto sub articulo
2o dicit quod in usura aut quid
dicunt dominium transferat. Con-
trarium autem illius videtur esse de intenti-
one Bonaventure super quarto sententiarum
distinctione 15 q. 2a articulo 1o. Ubi dicit
quod quedam sunt male acquisita
in quibus transfertur dominium
et non competit repetitio sed sunt
licite retineri ut precium prostibuli
et lucrum histrionis. Quedam autem
sunt in quibus non transfertur domi-
nium sed competit repetitio ut in
furtu et rapina et ad huiusmodi
genus reducuntur omnia que iniusto

titulo et mala fide possidentur
talia sunt que habentur per symo-
niam et usuram et ideo de talibus
illo modo potest nec debet fieri elemosina.
Hoc idem videtur sentire Alexander de
Hales in suo 3o q. 38a articulo
16o. Ubi dicit quod de illicite acquisitis
ubi non transfertur dominium sed competit
repetitio ut etiam restitutio
non potest fieri beneficium seu
elemosina ut in usura. Hanc illam
hoc etiam determinative tenet
Gotfridus de Fontibus in uno
quolibet suo ubi predictam questionem
movet in forma et ad eam
2do dicit hanc questionem quod pe-
cunia usuraria non transfertur in
dominium et proprietatem usurarii
quam sic probat quia ad hoc quod
dominium alicuius rei transferat
in alium ex parte ex parte transfe-
rentis cum hoc quod habeat ius
et dominium in re quam vult
transferre quod etiam libera volun-
tate consentiat quod ius et do-
minium quod habet in re illa
transferat in eum cui dat. Ex parte
etiam recipientis requiritur quod
sit capax illius secundum illam rationem
ex qua rem recipit sed utrumque
deficit in translatione pecunie in
usurarium ergo et cetera. Probatur hoc primo
quia primo quantum ad illud quod
requiritur ex parte transferentis
quia ille qui transfert pecuniam
usurariam in usurarium non con-
sentit quod ipse habeat ius seu iustum
titulum et dominium in illa pe-
cunia sed consentit non libere et co-
pulsus ex pacto quod habeat nudam

possessionem illius pecunie nec in
plus consentit directe. Dico autem
directe quia ex quo scit quod usura-
rius illam pecuniam sic habito convertet
in usus suos et consumet con-
sentit indirecte in item cursionem
illius pecunie in usu usurarii et
in item consumptionem quia scilicet consentit
in antecedens ad quod hec sequitur ut sequitur
consentit estimat scilicet in traditionem
possessionis et ideo deficit illud quod est
ex parte transferentis quia non consen-
tit transferre dominium sed nudam
possessionem et in hoc non consentit
libere. Sed quamvis coacte propter
placitum in ore quantum ad illud quod
requiritur ex parte recipientis
quia rei mutuate non potest esse ca-
pax secundum quam aliquis est capax ac-
cipiendi ultra sortem pro mutuo quia
ex quo mutuum quantum ad domi-
nium et proprietatem transfertur in illum
cui sit mutuum eo quod in talibus re-
bus potest transferri usus quin transferatur
dominium cum usus talis rei sit
eius consumptio nichil de tali re
manet apud mutuantem quod
possit cadere sub precio sed usura-
rius recipit pecuniam usurariam
ultra sortem ut precium ipsius mutui
ergo usurarius recipit pecuniam
usurariam ex causa secundum quam
non est capax illius pecunie et
patet quantum ad utramque partem hoc.
Hec est sententia illius doctoris. Confirmatur
hec idem omne dominium alicuius
rei quod aliquis habet est potestas ha-
bendi illam rem in aliquo iure
fundata. Sed usurarius non habet
aliquam potestatem super re usuraria

recepta in aliquo iure fundata
tum non habeat eam iuste et
per consequens non conformatur iuri
sed contra ius et per consequens non illius rei do-
minium transfertur in illum qui per nullum
tempus rem illam licite et iuste
tanquam suam retinere potest sine consensu
alterius scilicet illius qui illam rem sibi
tradidit. Sed usurarius nullam
rem usurarie receptam lici-
te et iuste per aliquod tempus retinere
potest tanquam suam sine consensu alterius
scilicet illius a quo eam recepit eo
quod ille a quo recepit semper
eam tanquam suam repetere potest
et ille qui recepit eam reddere
tenetur tam iure poli quam naturali
et divino quam etiam iure fori
ecclesiastico et canonico et civili. Ad rationem autem
pro opinione contraria qua dicebatur quod omnis
voluntaria datio facit transferri
dominium. Dicendum secundum predictum doctorem
Gotfridum de Fontibus quod tradens talem
pecuniam licet consentiat volun-
tarie mixte non tamen plene
et libere nec consentit etiam
nisi in traditionem nude possessionis.
Ex hoc patet necessario esse illam rationem
qua dicit quod omnis datio volun-
tatis libera facit dominium transferri.
Nimis enim omnis datio volun-
tarie libere ubi dans consentit
invariate et mere libere in traditionem
rei non solum quo ad nudam possessionem
sed etiam quo ad hoc quod ille cui
tradit habeat ius seu iustum
titulum et dominium in illa
re facit transferre dominium.
Datio tamen talis qua dans non

ne libe tradit rem quo
ad possessionem tn nec etiam
consentit in hoc q ille cui tradit
habeat ius seu iustu titulu
et dominiu in illa re no facit
transferri dominiu contra est
in proposito nro hoc etiam declara
ri pt in exemplo qui q aliquis
periclo compulsus vult potius
merces seu bona sua d'na
ui in mare pice q perire tn
p hoc no renunciat proprietati
et iuri Ex domio rez quas
pricit nec intendit renunciare
q intergatus si velit res pro=
iectas vbicumq sit adhuc esse
suas diceret vtiq q sic quia
licet cogat ad piciedu eas
tn no cogit proprietati et iuri q
habz & ad eas aut etiam domio
eaz renunciare ita in proposito
q voluntas qua pp ut indiges
vult potius tradere alicui vltra sorte
de pecuniis suis in possessionem
vsurarij cum careat subsidio
p mutatum e contrario talis vtiq
voluntas semiviolenta no facit
vere transferri dominiu rei
seu pecunie tradite ita q
res seu pecunia quam sic tradit
qui mutuum recepit fiat
secundum veritatem illius qui mutuum
p usura dedit etc.

Q ueritur 19m et vltimum
Qu an licitum sit alicui homi
ni hre commercium cum vsurario
emendo et vendendo Ad qd
di p aliquas propositiones Quarum
prima est Si pecunia seu alia
res vsurarie vltra sorte
recepta no transfert in domin
vsurarij eam recipientis tunc nulli
homini licet hre commercium cum
vsurario vendendo et eme=
do de quo constat q nichil
habz preter usuras qd tz i vito
illo qui dedit vsuras p de rone
vere et licite emptionis uel
venditionis est q emptor pe=
cuniam ul aliam rem quam tradit
venditori transferat i domin
venditoris ita q vere fiat sua
et econtra venditor rem
quam tradit emptori transferat
i dominiu emptoris ita ut
vere fiat sua Si igo pecunia
ul alia res quam exhibet
emptor p re venali no trans=
lata est i dominiu suu no
est sua sed potius alterius cui
tenet eam reddere tunc sine
consensu eius cuius vere est no pt
facere ut ipa vere sit venditoris
et in eius dominiu transferat
licet ipam tradere possit de facto
in eius possessionem et usum et
p cons no est i vera et licita
emptio ut venditio sed p mo
furte aliene rei usurpatio
que nulli homi licet Sicut si aliquis
vendat rem aliquam alicui
que scit nichil hre ni furtum
ul rapina ablatum talis vtiq
no esset vera et licita venditio
ex eo seu ea rone quia
emptor nichil habz dare ven=
ditori qd sit suum et supra
q hat dominium sed solum
si hz dare alienum quod ille cuius
est et ab a quo iniuste ablatum
e iusto iudicio d vendicare et re
cuperare pt vbicumq et quandocumq
invenit illud dictat racio Tercia
sit de hoc exposita ma Sed
pecunia ul alia res vsuraria
seu usurarie recepta no est
plus ipius vsurarij q illud
qd furtum ul rapina ablatum
est sit ipius furis ul raptoris
supposito q dominium no sit
translatum sed est pecunia ul res
aliena illius qui eam no volu
tate plena libera sed semi
coacta dicit vsurario et cui
competit repetitio etc. Vn omis
vsura rapina quedam e etc.
Conclusio 2a Si pecunia uel
alia res vsuraria ul usurarie
recepta transferat i dominiu
ipius vsurarij recipientis
tunc in aliquo casu licitum est
alicui hre commercium emendo
et vendendo cum vsurario nil
habente preter vsuras quas
tenet i vito illo qui dat v
suras in aliquo no casu no
est licitum prima pz sed quia
supposita translatione dominij
tunc vsurarius no tenet ad
restitutionem illius pecunie ul rei
alteri quam usurarie recepit
eiusdem in numero sed solum ad equalem
igit in casu talis venditionis
et emptionis in quo no redderet
impotens ad restituendum e
quivalens illi cui debet sed
restitutio verbi gratia si cum
pecunia usuraria emeret
domum ul agrum ul vineam
ul aliquid huiusmodi cuius vsus
no esset consumptio eius et p
qd eque ut plus posset satis
fieri illi cui competit fieri
repetitio licitum est cuicumq
hre commercium cum tali usurario
i emendo ul vendendo 3a
ps in tali casu emptionis et
venditionis in quo usurarius
efficitur impotens ad restitutionem
faciendam illis quibus debz
fieri restitutio verbi gratia
qn ipse usurarius cum usuraria
pecunia emit panem vinum
carnes pisces et vestes ut
aliquid talium cuius vsus est
eius consumptio et q ipse sup=
flue et deliciose consumit
ut quidem patz de iudeis illicitum
est cuicumq homini hre commer=
cium cum aliquo usurario nichil
preter rem vsurariam habenti
quam tz in vito illo qui rem
illam dat eo q in tali casu cum
tali usurario commercium occasionem
prebet dampni proximi scz illius
cui res vsuraria ut equa
lens restitui debet et ita
facit contra preceptum de dilectione
Tercia qo hoc qd dictum e
de habendo et no habendo
commercium emptionis et vendi
tionis cum usurario nichil
habenti preter pecuniam usura
riam quam tz in vito illo q
dat eam Si ille et suo tenendo
est de habendo et no hndo
commercium cum tali in serviendo

ul quascumque operas impende
do ei ul pro eo faciendo pro
pecunia uel mercede quam quis
sit in recepcione pecunie usu
rarie non transfert dominium
tunc nulli servienti tali usurario
aut operas ei quascumque impen
licitum ab eo recipere pecuniam ul
mercedem cum nullam habeat quod
sit sua sed solum habeat alie
nam quam in vito illo qui dat
eam non potest transferri in dominium
sui servientis ul operas quas
cumque impendentis et honeste in
se et licite ut clare patet
ex proposicione conclusionis predicte igitur
prima pars conclusionis vera. Si aut
transferret dominium tunc in casu
in quo usurarius dando mer
cedem servienti ul operas quascumque
impendenti non redditur impo
tens ad satisfaciendum illi
cui debet facere restitucionem rei
usurarie tali pro mercede vi
gracia si talis serviens ul
operas impendens fuit sibi
ul operas impendit in licitis
et honestis in quibus tanta
consequitur utilitatem quod utilitas
talis compensat cum mercede
quam dat servienti ul quamquam preva
let tunc talis usurarius non fit
pauperior propter mercedem
datam nec magis impotens
sed pocius manet eque ul magis
potens ad satisfaciendum illis
quibus tenetur ad restitucionem
in tali casu et consimilibus licitum
est alicui servire ul operas
impendere usurario tali
pro tali pecunia sive mercede
in casu uero in quo usurarius
dando mercedem efficitur im
potens aut minus potens ad satis
faciendum illis quibus tenetur
ad restitucionem non est alicui
licitum servire aut operas im
pendere illi pro pecunia uel
mercede in vitiis illis quibus
deberet fieri restitucio vi gracia sicut
contingit in illis qui serviunt u
surariis coquendo ul medican
do ul advocando pannos aut
vestes vendendo ul sarciendo
ul pandendo et ita de similibus
in quibus nulla opera impenduntur
ex qua consurgat talis utili
tas que compensari possit cum
mercede ibi non est licitum ab
aliquo tali mercedem recipere
et propterea nec ei servire nec
operas impendere pro mercede
igitur conclusio vera. Secunda quo ad 2am
partem quia de se non est. Sed
ante patet ex proposicione 2e conclusionis
predictis. Tercia quod de commercio
cum iudeis de quibus constat quod
solum de usuris vivunt multi
varias tradunt maculas peccatorum
ista conclusio ex predictis apparet.
De multis qui eis vendunt
sicut et aliis vendunt qui
ab eis emunt qui eis servi
unt qui pro pecuniis eos curant
qui causas eorum pro pecuniis
defensant et precipue qui ipsos
in tali statu propter turpe
lucrum fovent ut principes com
munitates aut alii potentes qui
dum ab ipsis rapiunt quod usurarie
acceperunt et accipiunt usurari
os ipsos impotentes ad resiste
dum reddunt et propter hoc seipsos ad
resistendum obligant eis a quibus
inique per usuras bona sunt ex
torta. Pariter iudicium est de illis
qui ex iussu ul mandato prin
cipis ut aliorum usurarios fove
re compellunt eos qui mutuum
ab eis receperunt ad dandum
usuram aut qui eis quo ad illum
modum vivendi de usuris prebent
consilium auxilium aut favorem
Nam qui talia agunt sed usurarii
de usuris viventes et eas
recipientes digni sunt morte
non solum qui faciunt ea sed etiam
qui consentiunt facientibus Ro. primo
Quinta quod ab usurariis nichil
preter usuras lucratis quas tenentur
restituere illis a quibus receperunt
non est licitum pauperibus et clericis
elemosinas et oblaciones recipe
nisi forte in casu extreme neces
sitatis. Probatur quia si per tales oblaciones ul recepciones
elemosinarum ipsi usurarii effice
rentur impotentes ad solvendum
quibus debent igitur conclusio vera quia patet ex
predictis. Ante de se notum est
Secundo qui ab ipsis receperunt elemo
sinas et oblaciones tenentur
restituere ut ipsis usurariis ul illis
a quibus ipsi acceperunt. Sed
aut esset si usurarii haberent alia
bona preter usuras et dando elemo
sinas ul oblaciones faciendo non
efficerentur impotentes ad solven
dum. De oblacionibus tamen speciale
est quia oblaciones usurariorum
manifestorum nulla recipi a clericis
prohibet etiam in detestacionem
criminis ut ipsi usurarii ru
bore confusi desistant a peccatis
et etiam in signum quod eorum oblaciones
et munera non sunt accepta apud
deum. Contra primam conclusionem huius dubii et
contra secundam partem 2e conclusionis et con
dicta in aliis conclusionibus in prima
conclusione et in 2a parte 2e conclusionis fun
data autem. Iudei tenentur ad de
cimas personales ut patet in capitulo
de terris de decimis ubi dicitur de
terris quas iudei colunt tales
tibi cudemus ut eos ad decimas
solvendas ul possessiones penitus
renunciandas cum omni districcione
compellas ne forte ecclesie oc
casione illa valeat suo iuri
fraudari. Item sicut patet per glossam
16 q. prima decime super non nego
ciativo etiam de fure et rap
tore bonum petitur decima non racione
negociacionis sue quia illicita est
sed quia inveniunt in possessione
quam decima sequitur quelibet
sive iuden sive excommunicatum
ut de usuris capitulo de sancta ro
mana ecclesia alioquin esset
pro deo melioris condicionis quam bone
fidei possessor quod esse non debet
ut ff. de peticione hereditatis
Si a domino. Item iudei etiam si non
tenentur ad decimas personales
de male acquisitis dandas
proprie et stricte accipiendo de
cimas personales tamen ut dicit
Jo. andree in novella constitucionem
sententiam invenit esse quod perceptam causa
ecclesia a katholico iudei solvere
tenentur ut de usuris capitulo
ipsum. Et racio est quia non debent
esse melioris condicionis quam christiani
sed non solvendo decimas et ut
ecclesie consueverunt indempnes

Ex istis arguitur sic si ecclesia
recipit sum etiam de male ac-
quisitis aut non layci qui sua
vendunt recipent sum ab eis
quibus vendunt scilicet ab usurariis
maxime cum ipsi usurarii non te-
neant de tali ista vel istam
peccuniam restituere sed indeterminate
quandoque. Preterea enim non inheret
peccunie sed persone quia peccunia
non meret vel demeret sed
persona. Item licet conversari cum
iudeis in certis casibus expresse
prohibitum est christianis scilicet man-
ducare azima vocare ad inf-
irmos medicinam sumere ab eis
balneari cum eis et expresse
non prohibeat ut in capitulo
nullus et capitulo omnes que capi-
tula ponuntur 28 q prima. Item co-
medere et bibere cum eis ut in
glo. xi q 3a ad mensam et similiter
cohabitare et commorari iudeis in
domibus eorum ut de iudeis
et sarracenis capitulo iudei
et capitulo consuluit. Ergo in aliis in
quibus non est expresse iure pro-
hibitum christianos licere conversari
cum iudeis videtur esse concessum
quia omnia concessa intelliguntur que non
prohibita sunt expresse ut notatur
de translacione inter corporalia.
Sed cum iudeis mercari emere
et vendere non est christianis
expresse a iure prohibitum igitur
hoc videtur esse concessum. Item christianos
licere conversari cum iudeis eme-
ndo et vendendo scit ecclesia
et patitur nec prohibet ut videtur
comprobare. Item ecclesia permittit
eos nobiscum commorari propter

humanitatem et concedit eis multa
privilegia et prohibet ne molestentur
ut de iudeis capitulo Iudei preterea et
propter ista mera si quo modo possunt commo-
rari nobis nisi vendant eis
necessaria vite. Item licet quandoque propter
delictum iudeorum prohibentur
christiani licere conversari cum ipsis
solum una igitur cessante causa cum
cessabit effectus et erit licitum
conversari cum eis et per consequens licere
conversari cum ipsis emendo et
vendendo. Item licet usurarius
rem usurariam potest donare
vendere et cum mercari quia
res aliena licet non possit obli-
gari potest tamen vendi nescio domino
et potest alteri dari ut ff de contrahen-
da emp. et ve. C. Si in tempore
ymo si cum peccunia aliena emo
rem nomine meo proprio mea e-
res empta et non illius cuius
erat peccunia capitulo de reven-
di ex peccunia agitur in usurarius
licet teneatur ad restitucionem tamen
res emit cum peccunia usuraria etc.
Ad primum illorum respondetur concedendo quod
iudei tenentur ecclesie dare de-
cimas prediales de terris quas
colunt vel possident si quas habent
prout etiam tenentur ~~fenerees~~ fures
et latrones quia in talibus tenentur et
possessoribus etiam habet quod suum est
quo defraudari non debet
propter maliciam possessoris inius-
te possidentis. Unde non minus
debet habere illud quod suum est ab eo
qui possidet iniuste quam ab illo
qui possidet iuste. Et cum arguitur
ex hoc si etiam recipit sum
etiam de male acquisitis etc non
layci qui sua vendunt ab eis

quibus vendunt sua recipiet
Respondetur concedendo quod pari racione quod
ecclesia recipit sum de male
acquisitis ab illis quibus ve-
ndunt et hoc si in illis male acqui-
sitis ut apud illos quibus ve-
ndunt habent aliquid quod erit sum
sed in casibus quibus contingunt que
sit illa eo layci qui vendunt
sua iudeis vel aliis usurariis
nichil potest usura habentibus que te-
net in vito illo a quo recepit
ea non habent quod sum sit in rebus
possessis ab usurariis ut apud
usurarios igitur nichil iuste
et licite possunt recipere ab eis
pro suis que vendunt eis. Et
eodem modo videtur si fiat argumentum de
decimis personalibus et dato quod concedetur
quod iudei tenerentur ad istas de-
cimas quod tamen non concedere communiter
etiam a doctoribus iuris canonici
utitur glo. in capitulo de terris de decimis
dicente quod iudei quia non sunt de
corpore ecclesie non solvunt de-
cimas personales. Ubi tamen ad-
vertendum quod glo. illa et si quia
sunt solita dicta intelligi possunt
quod iudei non solvunt decimas
personales nec etiam de eis
recipere de illicitis eorum negocia-
cionibus et operibus de quibus sunt
contractus usurarii ut notum est
sed tamen iudei solvere deberent decimas
personales vel estimacionem servicii
esse quod etiam preceptum esset
a katholico cum aliqua licita et
honesta operantur de quibus lu-
crantur. Unde in capitulo de terris de
decimis dicitur de milicia de
negociacione et de artificio

reddere decimas. Item glo. 16 q
prima decime super non negociacione
quia vel numquam iudei dabunt persona-
les decimas videtur quod sic ut Extra de
decimis ad audienciam quod dicitur ibi
quod de omnibus proventibus dabunt
quod concedo. Item de omnibus que ex li-
cita causa habent dabunt de-
cime hec glo. Item glo. ibidem ideo
dico pro quascumque manus ambu-
lavit quod quilibet teneatur dare
decimam de lucro suo. Ad secundum
cum dicitur habere conversari cum
iudeis in certis casibus ex-
presse prohibitum est christianis in
in aliis non est iure prohibitum
christianos licere conversari cum iu-
deis ideo videtur esse concessum etc.
quod respondetur iure aliquo nobis ex-
presse concedit vel prohibet similiter
naturali divino et humano. Unde ergo
in articulo dicitur quod in casibus in
quibus non est expresse iure pro-
hibitum etc. Sed hic iure canonico tamen contra
per omnium iure naturali divino vel humano
concedere quia quicquid non est expresso
aliquo tali iure prohibitum vel
in se particulariter sive quo ad
suum effectum expressum vel in sua
radice generali scilicet quo ad generalem
aliquam speciem prohibicionem
in qua singula illius speciei
intelliguntur esse prohibita quod hoc
videtur esse concessum et etiam
concedere quod cum iudeis mercari
emere et vendere non est christianis
expresse aliquo iure prohibitum
eo quod iudei sic deberent vivere
quod haberent bona iuste et licite
acquisita vel alias ad eos devo-
luta sic quod cum illis licite possunt
licere conversari cum christianis

emendo et vendendo et eius
xpianum cum ipsis et illud non
repugnat contradictioni prime illius dubii
nec aliquibus aliis predictis
quo omnia ad hoc tendunt
quod non est licitum xpianis habere
commercium cum iudeis vel aliis
usurariis De quibus constat quod
nichil habent preter usuras quas
tenent in vito illo cui debet
fieri restitucio Manifestum autem
est quod non est bona argumentacio
concessum est xpianis habere commer-
cium cum iudeis emendo et ven-
dendo igitur concessum est xpianis
habere commercium emendo et
vendendo cum iudeis de quibus
constat quod nichil habent preter usuras
sic non sequitur concessum est xpi-
anis habere commercium emendo et
vendendo cum xpianis igitur
concessum est xpianis habere
commercium talem cum furibus et la-
tronibus vel habentibus nichil nisi furto
et latrocinio acquisitum Nam
in utroque illorum arguitur a
superiori ad inferius seu a toto
ad suam partem affirmative et est
fallacia consequentis Sic enim non sequitur
presbiter licite potest celebrare coram
homine igitur licite potest celebrare
coram homine de quo publice
constat quod est excommunicatus sic nec
in proposito Et mirandum videtur
de illis qui fundant in talibus
argumentacionibus tales conclusiones
tamquam veras doctrinas ubi
cum nomine iure est prohibitum sed po-
tius concessum et quis quod est contra doc-
trina seu conclusio quam concedit
prohibitum est vel in se vel in sua
radice iure naturali vel divino

quod prohibetur omnes homines qui
pistere rem proximi sui constat
autem quod si in usura non transfert
dominium quod usurarius res non
est usurarii nec illius qui cum
usurario vult mercari sed utri-
usque eorum proximi scilicet illius qui
necessitate urgente dat usuram
et ideo si ille qui mercatur cum
usurario recipit sciens rem
proximi sui que iniuste ablata
est ab eo et eo in vito ab eo
iniuste detinetur et ita indirecta
ta concupita concupiscit rem proxi-
mi sui in dampnum et preiudicium proxi-
mi sui quod etiam expresse est contra
preceptum de dilectione proximi
dato etiam quod in usura dominium
transferatur prout alia opinio
dicit et in omni casu empcionis
et vendicionis cum usurario
quo ipse efficitur impotens ad
restitucionem faciendam illi cui debet
fieri restitucio ille qui mercatur
cum tali manifesta dat occasionem
dampni proximi sui prout patebit
in probacione 2e partis questionis 2e Item
etiam pro iure humano quod usuras
et omnia quibus proximus iniuste
dampnificatur generaliter prohibet mani-
feste concludi et convinci potest
huiusmodi commercium cum usurario
nichil preter usuras habentibus
esse illicitum et iniustum et hoc
in omni casu in quo per tale commer-
cium ipse usurarius redditur impo-
tens ad satisfaciendum illi
cui debet fieri restitucio iuxta
predicta in 2a parte questionis 2e et si
forte aliquis vellet dicere quod

omnia videntur esse concessa que
non sunt expresse in speciali particulariter
humano iure prohibita constat quod
nullus racionis habens potest hoc dicere
vel debeat cum infinitis casibus
emergentibus vel emerger possibilibus
multa sunt illicita et nephan-
ria naturaliter concessa vel conceden-
da que cum non sunt humano iure
particulariter expresse prohibita Si
namque omnia talia illicita et non
concessa essent expresse particulariter
prohibita non esset opus epykaia
de qua habetur v to ethicorum nec esset
opus aliquarum legum interpretacione
vel aliorum casuum laboriosa dis-
cussione quid in eis sit licitum
vel illicitum iustum vel iniustum Et
tunc pari racione quicquid in arte
medicine humanitus tradita non
est prohibitum infirmis aut eis
sanis expresse et particulariter
hoc esset eis concessum et tunc non esset
opus medicis in quibuscumque ca-
sibus laboriosa habere ingenia
et varias considerationes pro sanis
conservandis et infirmis curandis
sed sufficeret expresse contra talia
in arte medicine particulariter
habita vitare et expresse con-
cessa ministrare cuius oppositum
apud omnes bonos medicos
est notorium Sed 3m cum dicatur
habere commercium et ceteris quod etiam
dupliciter dicitur prohibere aliquid
vel in se vel particulariter scilicet quo
ad particulare aliquorum singularium
sententiam expressionum vel in sua ra-
dice generaliter dumtaxat scilicet prohibet
aliquod genus peccati in qua prohi-
bicione singula illius generis in-

dividua intelliguntur esse prohi-
bita loquendo de prohibicione
primo modo Ista causa non valet
xpianos habere commercium cum
iudeis emendo et vendendo
sit etiam et patitur nec prohi-
betur conprobatur Ista instancia
manifesta est de meretricio
et lupanaribus et de multis
casibus in quibus multa sunt illi-
cita non expresse permissa in
particulari prohibita ut patuit
in racione ad 12m precedentem
loquendo autem de prohibicione
2o modo dico quod xpianos habere
commercium emendo et vende-
do cum iudeis nichil preter usuras
habentibus prohibet etiam precipue
in casibus in quibus per tale commercium
iudeus redditur impotens ad
satisfaciendum illi cui ad resti-
tucionem tenetur illi eo quod prohibet
generaliter omnes iniustos proximi
offensiones et dampnificaciones qualis
fit illi cui restituenda est pe-
cunia usuraria quam recipit ven-
dens a deo et hoc quando iudeus
per hoc redditur impotens et cetera
namque talis dampnificacio proximi
utriusque testamenti scripturis
prohibita est sed quicquid scriptura
sacra prohibet Ad quartum etiam
permittit et hoc ideo quod dicit sed quan-
tum querit quo modo potest conmorari
nobiscum nisi vendatur eis necessaria
vite dico quod in conclusionibus pre-
dictis non est dictum quod non debeat
iudeis vendere necessaria vite
sed dictum est quod non debet eis
vendi necessaria vite et cetera pro
pecunia usuraria quando ex empcione
necessariorum predicti pecunia

erunt impotentes ad satis
faciendum illis quorum talis est
pecunia vel quibus tenentur
ad satisfaciendum de tali pecunia
Constat autem quod bene potest
nobilis cum eo morari sive hec quod
vendat eis vite necessaria pro
tali pecunia cum non debeant
hec item pecuniam nec de tali
vivere debeat sed de laboribus
vel de bonis consimiliter iuste
possessis seu habitis pro quibus
potest eis necessaria vite et pro
quibus christiani licite possunt
eis vendere necessaria vite
Ad quintum quod in de propter delictum
et dico breviter credo quod cessante
delicto iudeorum licitum est
christianis conversari cum ipsis
est habere commercium cum eis emen
do et vendendo sed in illis
iudeis qui nihil preter usuram
habent non cessat sed manet delictum
usurarum propter quod valde caven
dum est eorum commercium in emp
tionibus et venditionibus et
non solum in illis sed etiam in omnibus
suis consiliis et auxiliis
sustentationibus defensionibus
et favoribus et que ipsis im
pendunt vel promissis vel circa
ipsos fiunt pro mercede vel
remuneratione vel quocumque lucro
de pecunia usuraria eorum
proveniente Ad sextum cum dicitur
quod usurarius rem usurariam
potest donare vel vendere et
cetera loquendo absolute de posse
illud probabile non dubitat quando
usurarius rem usurariam potest
donare vendere et cum ea

mercari et de facto Si autem
loquimur de posse quo illud dicimus
posse quod iure possumus dico quod
usurarius rem usurariam non potest
donare alicui invito illo cui
eam vel equalens tenetur restituere
Nec etiam de iure potest eam illo
invito vendere nec cum ea mer
cari de iure et hoc in casu quo
per item donationem venditionem vel
mercationem efficitur impotens
ad satisfaciendum illi cui debet
fieri restitutio talis rei in se
vel equalenti Constat enim quod
in tali casu non potest rem cui nec
licite nec iuste dare nec licite
et iuste vendere vel cum ea
licite et iuste mercari igitur
non potest hoc facere iure quia quicquid
iure fit iuste fit et ad iniuste
fit nec iure fieri potest Nam iniusti
cia non est nec ius esse potest illud
tamen patet per Augustinum libro 19 de civitate di
ei ubi etiam ex hoc ostendit quod ubi
iusticia non est nec res publi
ca esse potest nec populus Unde hoc modo
res aliena sicut non potest obli
gari ita nec potest vendi nec alie
nari nescio domino vel invito eo
sive sit res mobilis sive immo
bilis de quarum utraque verum est
quod si vendit nescio domino aut
invito furtum committit Unde patet
quod usurarius rem usurariam invito
vel nescio domino scilicet illius cuius
est et cui debet fieri restitutio
donare potest et vendere et ven
dere et cum ea mercari de facto
sed non de iure nec contra quod probat lex
allegata ff de contrahenda emptione et
venditione vel rem alienam que loquitur

in hec verba rem alienam distrahere
et emere posse nulla dubitatio
est Nam emptio est et venditio
quod intelligendum est de facto quamvis
fieri non debeat de iure prout
manifeste patet ex fine legis Nam
immediate post predicta verba
legis subditur sed res emptori
auferri a domino potest hec ibi nam re
vera si valet emptio non posset
res auferri emptori a domino
hoc est ab illo cuius est res et
cui debet fieri restitutio illius rei
vel equalentis Item si emptio
illa valet iure tunc emptor per
illam emptionem fieret dominus rei emp
te et per consequens res ipsa non haberet
alium dominum a quo posset auferri
emptori cuius oppositum dicit lex
illa et quod quidem dicitur in articulo quod verba
predicte legis intelligi debent
de re mobili et cetera Contra quod hoc dicere
est contra glo. in parallela lege rem
alienam dicentem quod ipsa lex debet
intelligi de re immobili et non
mobili Nam in mobili facile furtum
committitur ut patet in lege si in empto
re Nam liberum hominem et item
quod talis emptio rei aliene de
facto teneat ita quod res empta
non auferretur sed permitti emptori
nisi dominus rei agat de illa hoc
est propter prejudicium vendentibus
scilicet ad illam non redeant et propter
favorem ementis ut ibidem
notatur scilicet circa predictam legem
in glo. Est intelligendum quando
emens bona fide emit Si autem
uterque sciret emens et
vendens rem esse alienam tunc
a neutra parte obligatio oriri
haberet ut patet in dicta lege

Et in emptione autem Item si emp
tor Quia autem sit eo dicit et
quare res aliena invito domino
potest vendi non obligari dicit glo.
parallela le. rem de contrahenda emp.
et ven. quia in pignoribus dicitur quod
constituta ei ius in re in obligatione
quadam quod facere non posset si res esset
aliena sed in venditione non
tenetur nisi quadam tradere
possessionem emptori et me per evic
tionem obligare et ita est
ius impar quod posset etiam in
re aliena ut ff de actionibus
empti et venditi le. ex empto
Item primo Ex quibus patet quod cum dicit
lex rem alienam obligari non
posse non generaliter in obligatione
pignorum dicitur quod ei cui fit obligatio
constituitur ius in re sed obligatio
quedam ratione cuius rem illam possit
distrahere nisi obligans eam
redimerit in termino sibi iudi
cialiter constituto vel constituendo quam
obligationem nullus facere potest de re
aliena Et hoc modo lex utitur
hoc vocabulo obligatio stricte
prout dicit obligationem que fuit
de iure non tamen illam que fit de
facto venditionem autem generaliter
accipit lex pro traditione possessionis
rei empte quam venditor tradit
emptori et se obligat pro
emptione ut scilicet si res emp
ta evincatur ab emptore iudici
aliter ab alio qui rem illam
dicit esse suam ipse venditor
teneatur ad interesse ut scilicet satis
faciat emptori et cum reddat
in duplum Et hoc modo venditio
extendit se non solum ad illam

que de iure sit s3 etiã ad ãtz
illã que sit de facto et non
de iure Et p hoc etiã patet
rñsio ad ultim q in eodem
argumeto tangebat s3 in
pecuia aliena emo rem noie
meo pprio mea est res ep
ta et no illi9 cui9 erat pecunia
Sz q hoc v̄m est de facto no
de iure nisi fiat cũ q̄sensu dñi
cui9 est pecuia ul nisi talis
post factũ talem emptorẽ ra
tificet hoc mo etiã res alicui
obligari pt de volũtate dñi
sic eo ignorãte no potest nisi
postea ratũ heat ut exp̄sse
pbat in lege Aliena res pigñ
dari pt volũtate dñi s3 s3 igno
rante dño datũ sit et ratum
habuit pign9 valebit etc

Explicit tractat9 hic9
de contractib9

Nota indulgencia
est auctorisabilis
q̄ssio remissibilis
pene pcti ex clauiũ
ptate pcedens Et io sc̄dm In
nocen Sacerdotes veteris
testamenti no ferebãt illas in
dulgencias et no poterãt eo
q apud eos no erat clauis
nec ptas ligandi ul soluendi
que est apud sacerdotes noui
testamenti Et io cũ xpc dimi
sisset pcta Marie magdalene
admirabãt iudei dicentes
Quis est hic qui pcta dimit
tit Aliud dimissiõis indulgeñ
est remissio pene ad quam
pctor iuste obligat9 fiat ex
ptate clauiũ et de thesauro
ecclesie pcedes dicẽs quid ẽ
ille thezaur9 ecclesie Rñ est
supexcelles habũdancia me
ritoꝝ passioꝝ xpi et suoꝝ mar
tiru et scõꝝ qui ult men
sura debitoꝝ supexogauert
et impenderũt quoꝝ mitoꝝ
tanta est copia q excedit
omẽ pena debitã nũc viuẽ
tib9 et pcipue passio xpi cuj
vna gutta sãgnis ul sudoris
sufficet ad expiacoẽ om̃ pctoꝝ
vn v̄s v̄e pctõ nra ipe tulit
et laguores nros ipe por
tabit et omia alia bona que
faciũt fideles que omia
ponũt in scrinio et thauro
ecclesie De quo thauro pa
pa et plati pnt q̄cedẽ illas
indulgencias sũ remissões
et hoc ex speciali puilegio
bti petri de quo dicit 16 qdam

ligaũis sup terra etc. Inno
centi9 hic qrit q̄ sonat remit
to tibi vnũ ãnũ de pnĩa tibi
iniuncta Respondit q est s3 g
i tanto min9 purgeris i pur
gatorio qnto si vno ano q̄tinue
egisses pnĩaz Et sĩr q̄uter os
doctores theo et iuristanoi
ri dicut q valet sic q̄cedut
et put dant pficiut quo ad
deũ et quo ad ecclesia Vn not
Ramfred9 ex q pnce liba
rio simpr s3 p indulgencias
sicut sonat ut sc̄dm q pmittũt
et q̄tinet pena pcti remitta
na qualit tũc p3 satisffaciat eiã
no refert et absolut9 est is
que etiã absoluit et ligat9
est que ligat 2 q 1 ca q̄cunq3
Sed quid si tu tenuis ieiunãe
so dies ex iniuncta ti pnĩa
Et Papa ul epus q̄cedit
Quicũq3 uẽ q̄trit9 et q̄fess9
appoit mag admiterẽs ad
vnu piu opus elaxat per
indulgencia so dies d̄ iniũc
ta pnĩa Ruq̄ vltĩ9 tenuis
ieiunare Dico quo de iure
s3 de honestate tenuis et s3
q̄tepnis peccas mortaliter
p q̄teptu debet eni sempr
dolere p pctõ Sz ti si post
habitas indulgencias ieiunas
spãe des duplex pena pcti
remitti tĩ ppter complecõẽ
emende tũ ppter indulge
tias nec mag mitũ q̄seqr
Rõ quelibet sacerdotem
posse q̄cedere indulgencias
in foro pniali qñus no poss

dare lras q̄nales indul
genciaꝝ qd est iurisdiconis
qua ad est in absolucione pe
nitentis puidere dispõe nos
liberandi a penis ppt pcta
qd est offici sacerdotalis sc̄dm
Innocen qui dicit licet sit
restricta hec ptas indulge
tias que fiũt publice no tñ
in foro pñali qñ possit anos
et dies put vult indulgere
dũmõ discrete faciat de h
p archidyaconũ li vi de
pe et re c indulgencie se
vo q̄cedut sic arc archidya
cong dicit al remissio ul in
dulgencia no dicit ociosa
no carebit quis ipso indulgeñ
vno ocies habebit quocies
fecit etiã in die vna ñ s3
qd est ipa indulgencia vel
remissio q̄cessa hoc id dicit In
nocen et speculator Dicit
Vn indulgencia sumpserit ori
gine Rñ q ex mito suphabu
dante xpi et passio xpi et
eius meritũ suffecisset pro
infinitis mũdis si fuissent
et quia no est nisi vn9 mũd9
io ex illa suphabudãcia dãt
indulgencie Jd no vñ q pa
xpi fuit finita et sic s3 pro
finitis et no p omib9 s3 solu
p saluãdis et io acceptã ẽ
etiã tantũ p saluãdis et io
ex illa suphabudãcia non
dant indulgencie Alij q ex
mito virgis marie sed illud
no valz quia sicut fuit plena
gracia in vita sic ẽ i plena

gra in gloria et est diminuta
ta ul' cdignu q2 nuq3 minuit
sy mr xpi nec gloria qua
habet meruit de cdigno
Alij ex mutis martiru
sil om sctoy s3 hoc no valet
q2 deus multo plus eos re
muneravit et glorificavit q
meruit meruerit Alij q dat
p mo suffragijs quia nos
invocamus suffragia sctoy
s3 hoc no q2 tuc unus sctus
plus poss dare de indulge
cijs q papa ul epi q2 no oes
sut sancti Ad 2m dicit q indul
gencia dat de thezauro infini
te mie dei pietatis et cle
mencie unde in Joh dicit
Quodcuq3 ligaveris et ubi xps
petro et suis successoribus de
dit ptatez q pnt aliquos ab
solve a pena debita p
pcto Ad 3m dicit cui ille thezau
rus est cmissus Unde notandum
xpus s3 pape pcepta archiepis
et epis spe ute archiepis
in suis pvincijs epis in suis
dyocesibus Item legatus
immediate missus a latere
spe dat indulgencias s3 no
pt dare indulgencia ppetua
et face statuta ppetua ut
het in decretis Item electus
in epm et cfirmatus potest
dare indulgencia dicit hostien
q tn mag est q tlis abstineat
a largicione indulgenciaru
si sacerdos no est s3 si e pt
dare Ad 4m facta est tunc ei

melius ille thezaurus distribuendus
possit cmitti q principi ecclesie
qui est caput nrm secundarium
et nos eius membra Ad 5m
utrum tantu valeat quantu
sonat Sciendu indulgencie
in qdrupli forma dant
Aliqn sub certo nro dierum ut
epi dant xl dies et nuq
pnt plus dare simul sicut
het vi libro decretalium nisi
solu in uno casu s3 i csecra
tione ecclesiarum ubi eni pnt
dare indulgencias unius
ani et no plus de ptate qua
ad adhuc hnt nisi papa vel
let eis maiorem ptatez dare
Aliqn dant indulgencie
sub certo nro anoy s3 sub 1
anorum Aliqn sub certa pte pnia
e sub certa pte pnie iniucte
Aliqn dant ab tercia a pena
iniucta qndo a tota pena
relaxat ut in ano iubileo
Iuxta illos modos videamus
utrum tantu valeat quantum
sonat Ad 2m q sic dummo cncurrit
ille quatuor con Prima q au
ctoritas sit in dante 2a cogeni
tas i recipiente 3a pietas
in ea inducente scilicet status
gracie et deuocionis i suscipien
te Quarta utilitas in ope
ut propter sublevacionem proxim
ut ecclesia possit edificari
et cenobia et huiusmodi
spectancia ad ecclesiam Ad 6m
pt3 de se et sic qui no ht
ptatem sup aliud ille no pt
e dare indulgencias quia

sntia lata a no suo iudice
no valz et episcopus no pt dare
indulgencias istis qui alterius
sut dyocesis nisi placeat alij
epo qui de auctoritate cmittat
cspectu suoy Ad 7m pat3 quia
exns in caritate no obliga
tus ad aliqua pena no poss
recipe indulgencias quia
no est debitor pene ideo no
est capax indulgenciarum q2
indulgencie dant p relax
acione pene iniucte Ad 8m pt3
q sine utili pia ul necia
causa indulgencie no debet
dari ut cferens et recipiens
indulgencia intendat hore
dei et exaltacionem fidei hoc
est cotra pvcates ut luctat
peccata et tlis indulgencia
modicu valet Ad 9m pt3
s3 q sit in statu fidei et q
credat omes articulos fidei
siue explicite siue implicite et
q no sit excoicatus et q sit
in caritate q2 inimicus ecclesie
no debet distribui thezaurus
ecclesie et ideo ille qui e i pcto
mortali cui crrespondet pena
infernalis que no pt re
laxari p indulgencias no
est capax hoc sup ptebit
Ad 10m dices quomo tm valet in
dulgencie quantu sonat Ad 2m
si tibi p pctis tuis iniucta
est pnia ut ieiunes unu
anu si vadis ad locu ubi
tot sut indulgencie et tunc
illa pena relaxat quantu
debuisses psoluisse p unu

anu et cu hoc pt stare q uni
plus valent q alteri quia
sint duo i equali pena s3
xl dierum veniat ad locu ubi
sut tot indulgencie et unus
vadit cu maiori devocione
ul a longiori distancia tunc
plus isti valet qui magis
devote ul a longiori via
transiuit Si cetera sut paria
q2 intenciore actu et maius
meritu habet q alius
et sic plus intrinsece obtinet
unus plus q alter s3 no
extrinsece q2 quilibet xl dies
Queritur propter quid dant
indulgencie et quale sit opus
p quo dant Ad 2m sic thezaurus
quibus deservit ad duo s3 ad
honore principis faciendo festa
sicut rex asswerus fecit
grande cnviuiu i die nupciarum
sue Ad 2m ut cciuitati p edifica
cione habitacionum et cversacionum
discordie sic thezaurus ecclesie
s3 indulgencie que ponit
dant ad honore dei et sctoy
ut qn dant in sermonibus et
missis in dedicacione et hijs
in quibus consistit honor xpi
qui ibi laudat Ad 2o ad uti
litate ecclesie Aliqn eni dat
indulgencie propter cfessionem
fidei ul ut pauperibus detur
elemosina qui serviunt civitati
ul q dat p sustentacione monasti
eriu aut hospitaliu scdo
dant in terris quicuq3 se trans
tulerit ultra cont adversarios

ad expugnādū p fide ci
i dno ko dies relaxant
ul qui dedit ad structura
ecclesie illi habebit tot
dies indulgenciaȝ Dices
vi q sit symonia dare indulge
ncias p pecunia q ibi vedit
proximū xpi Videt ꝭ p
tpe habet oculus ad de
nariū male dant ꝭꝭ het
oculus ad bonū spuale pmo
uendū psut et bn fiut Dices
vtrū annus indulgencie va
leat anno satisfaccionis ut cu
dicit dimittut ti septe ani
ille dicit indulgencie tuc
est dubiu vtȝ isti ani tantū
valeat sicut septe ani p
quos penituisses et satisfe
cisses Dicendū p illo q sat
facto facit quatuor pmo tol
lit pena 2° macula 3° co
pmptitudinē pcti scdo aug
metat mitū in ecclesiis cel
Ego hoc dico q annus indul
gencie tm valȝ sic annus
satisfaccionis q tollit pena
p annū indulgencie sicut p
annū satisfaccionis i tm valet
qntū ad pma gdicōȝ ꝭ quo
ad alias tres gdicōnes ꝭ
anȝ satisfaccionis plus vȝ
quia pena tollit p indulge
ncia Sed pmptitudo pccādi
ꝭꝭ terassuefaciōȝ bn opādi
sed mitū nō auget nec gra
dat ꝭc fte de indulgenciis
scribit quidā sup gpendio
Beati Thome Ego aut pro

fideli narracione audiui in
libro de porciuncula sita ppe
assisiu vbi Btus franciscus
adhuc viuens obtinuit a su
mo pontifice plena indulge
ncia pctōȝ omnibus accedentibꝫ
illuc duo de mediolano eundē
locū accesserunt et vnus
alterū rogauit q filio suo
mortuo suas indulgencias
daret q ille fecit et filius
pri eade nocte appuit et de
pticipacōne indulgencie s
collate p socium suū gracias
egit asserens se virtute illi
a penis pgatorij liberat ꝭc

Rndendū q pctm mortale
est desertus nē more aie
inquietudo cordis inbecil
litas virium cecitas sensuū
turbacio aie mors grē mors
omnis virtutis mors om
bonoȝ opū afflictio et erro
ꝭꝭpus societas dyaboli anathē
xpianitat error aie cibꝫ
inferni ꝭc

De hoc pelagi pccati pr
trahit pctōȝ mendo liberȝ
arbitrium per grāciā Ro
uxo illud Cam 1° Trahe
me pꝫ te Et exquo xpus
dicat nemo venit ad me
nisi pater meus traxerit
eu Est questio an tractio
dicit quadā coaccōȝ et coac
ta seruicia deo nō placet
quo peccator petit trahi
Ꝺt duplex est tractio co
acta ab ista et sic nō trahit
Alia indirecta et het no

cūo est cont volūtate Bñ9
Nō omnis qui trahit inuitꝫ
trahit Ꝺer eni infirmum
trahi l ad balneū ul cibum
ad prandiū piget licet reu
pigeat trahi ad iudiciū ul
penitus et sic xpiaꝫ deuotꝫ
petit trahi Et sic pr thit
teipꝫ corpale affligendo
penas gminādo et gaudiu
mercedis pmittēdo Item
spus scus trahit ul mouet
fulgore fugando cecitate
et docendo vitate 2° fer
uore expellēdo frigiditꝫ
Tercio dulcore sꝫ amoris
diui Rich de scto victore
Amor est dulcedo sapores
intimi et qnto ardencius
amat tanto suauiꝫ gustat
Augꝫ 13 gfeꝫ verꝫ amor nō
sentit amaritudīē ꝭ dulce
q sapor dulcedinis et sic
homo bn pt dicē illud Joh
scto q nos dileximꝫ deum
ꝭ qm ipe prior dilexit
nos Sed dices deus volt
omēs hoīes saluos fieri ad
Thi 2° et est in omnibꝫ per
puram ecciam et potenciam
ut dicit Greg sup Cant quare
nō omēs equalit affiat ful
gore feruore et dulcore hꝫ
pfectus cau Rn deus eqlr
omēs diligit ꝭ nō omēs eq
liter sut eius delectōs ca
paces quia slli sine aliud

psiterent p quo eos hanc
delectōm gpiderint Exemplū
in sole gstat q sol lumine suo eqlr
est pns omnibus nalibus et
tn nō oia equalr pticipant
eius fulgore et feruore quia
fulgor solis plus lucet i cor
poribꝫ tersis et pollitis ut
in auro et argento q in aliis
feruor eciā solis plus calet
in vallibꝫ qm i montibus licꝫ
sol sit montibꝫ ppinqor et vi
gor solis plus vȝ in arbꝫ
q i macaris sic filius thit
eu qui eu vocat dicens sequere
me ꝭc

...at eis federis q pepigit cu abra
iacob. Et respex dns filios isrl. ...